



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Tuesday 22 September 2015

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.scottish.parliament.uk or by contacting Public Information on 0131 348 5000

Tuesday 22 September 2015

CONTENTS

	Col.
TIME FOR REFLECTION	1
TOPICAL QUESTION TIME	3
Regulation of Investigatory Powers	3
EDUCATION	5
<i>Motion moved—[Angela Constance].</i>	
<i>Amendment moved—[Iain Gray].</i>	
<i>Amendment moved—[Mary Scanlon].</i>	
<i>Amendment moved—[Liam McArthur].</i>	
The Cabinet Secretary for Education and Lifelong Learning (Angela Constance)	5
Iain Gray (East Lothian) (Lab)	10
Mary Scanlon (Highlands and Islands) (Con)	14
Liam McArthur (Orkney Islands) (LD)	17
George Adam (Paisley) (SNP)	21
Cara Hilton (Dunfermline) (Lab)	23
Stewart Maxwell (West Scotland) (SNP)	26
Hugh Henry (Renfrewshire South) (Lab)	29
Fiona McLeod (Strathkelvin and Bearsden) (SNP)	31
Stewart Stevenson (Banffshire and Buchan Coast) (SNP)	34
John Pentland (Motherwell and Wishaw) (Lab)	36
Sandra White (Glasgow Kelvin) (SNP)	38
John Mason (Glasgow Shettleston) (SNP)	40
Neil Findlay (Lothian) (Lab)	42
Gordon MacDonald (Edinburgh Pentlands) (SNP)	44
James Kelly (Rutherglen) (Lab)	47
Colin Beattie (Midlothian North and Musselburgh) (SNP)	48
Liam McArthur	51
Liz Smith (Mid Scotland and Fife) (Con)	54
Mark Griffin (Central Scotland) (Lab)	56
Angela Constance	59
SCOTTISH PARLIAMENT (DISQUALIFICATION) ORDER 2015 [DRAFT]	64
<i>Motion moved—[Joe FitzPatrick].</i>	
The Minister for Parliamentary Business (Joe FitzPatrick)	64
PARLIAMENTARY BUREAU MOTION	66
<i>Motion moved—[Joe FitzPatrick].</i>	
DECISION TIME	67
PRIVATE PARKING CHARGES	76
<i>Motion debated—[Murdo Fraser].</i>	
Murdo Fraser (Mid Scotland and Fife) (Con)	76
Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP)	79
Elaine Smith (Coatbridge and Chryston) (Lab)	81
The Minister for Transport and Islands (Derek Mackay)	83

Scottish Parliament

Tuesday 22 September 2015

[The Presiding Officer opened the meeting at 14:00]

Time for Reflection

The Presiding Officer (Tricia Marwick): Good afternoon. The first item of business this afternoon is time for reflection. Our time for reflection leader today is Ms Lorraine Cole, lieutenant, the Salvation Army, Fauldhouse.

Ms Lorraine Cole (Salvation Army): It was decided that wolves would be reintroduced into Yellowstone national park in an attempt to control the number of deer that were grazing their way through much of the vegetation there. The wolves did their job and killed a number of deer but, more importantly, their presence in the park brought about a change in the behaviour of the deer, which moved away from the more exposed areas of the park. As the deer moved away, the vegetation regrew, which resulted in birds arriving to build nests in the trees. The number of beavers also increased, because they now had more trees to eat and to build their dams with. In turn, otters, muskrats, fish, ducks, amphibians and reptiles came to build their homes in the dams.

The wolves killed not only deer but coyotes, which meant that the rodent population increased, bringing hawks, weasels, foxes, badgers and bald eagles into the area, enticed by a plentiful food supply. Bears also came to feed on the carrion left behind by the wolves and on the berries on the new vegetation.

The effect of the wolves went even further than that, however—it actually changed the behaviour of the rivers. The new vegetation stabilised the banks of the rivers and there was less soil erosion, meaning less flooding and new courses for the rivers.

Who would have thought that a small number of wolves could make such a huge, wide-ranging change to not just the ecology but the geography of Yellowstone national park?

In this chamber this afternoon, I guess that we all have different religious and political beliefs, but I would say that the majority of us are here because we want to make a difference. We want to bring about change both in the lives of individuals and in wider society, and I believe that Jesus came to spend a short time on earth with that objective too.

The best gift that the wolves gave to Yellowstone national park was simply to be

authentic wolves. The best gift that we can give to the people we serve is the gift of being the person that God intended us to be—the gift of ourselves. I pray for you that God will give you all strength and wisdom today as you go about your daily business. Amen.

Topical Question Time

14:03

Regulation of Investigatory Powers

1. Alison McInnes (North East Scotland)

(LD): To ask the Scottish Government what its response is to reports that Police Scotland has breached the Regulation of Investigatory Powers (Scotland) Act 2000 on multiple occasions. (S4T-01109)

The Cabinet Secretary for Justice (Michael Matheson): The report referred to the Regulation of Investigatory Powers Act 2000 and breaches of the code of practice on the acquisition and disclosure of communications data. As I explained to Parliament in my policing statement on 3 September, breaches of the code are a matter for the Interception of Communications Commissioner's Office, which has made clear that it would be wholly inappropriate for it to make public the identity of the police forces under investigation while its investigation is on-going and it has set out the reasons for that. In light of the IOCCO investigation, it would not be appropriate for me to comment further, other than to say that ministers expect all public authorities in Scotland to comply with the code of practice on accessing communications data.

Alison McInnes: Those spying allegations are significant, because we have those new rules to protect the confidentiality of journalists' sources, the anonymity of whistleblowers and the freedom of the press. That is what is at stake if the rules are illegally circumvented. Has the cabinet secretary discussed those claims with the chief constable and, irrespective of whether it is confirmed that Police Scotland is one of the two forces that contravened the new rules, what steps are being put in place to ensure that the rules are not breached in the future?

Michael Matheson: It is extremely important that our press are able to operate freely and have appropriate protections. In my view, no individual should have their communications data improperly accessed. It is important that there are robust mechanisms in place to ensure that that does not happen. That is why we welcomed the code that was produced by the United Kingdom Government in February and implemented in March, which will ensure that there is judicial oversight of any decision making on communications data relating to journalists and journalistic sources.

It is worth keeping in mind what IOCCO has said about the matter. It has stated publicly:

"It would be wholly inappropriate for us to name the two police forces whilst we are still in the process investigating

fully these matters. Our primary concerns are to ensure that our investigation process is not prejudiced, that the privacy of those individuals who may have been adversely affected is protected and, that those individuals are able to seek effective remedy. Careful consideration has also had to be given to the fact that criminal investigations and legal proceedings are invariably active and we are not yet in a position to consider the impact or potential wider consequences of naming."

As a Government, we respect IOCCO's position on the matter, and all members should recognise that.

Alison McInnes: Has the Scottish Government been given any indication of when IOCCO will report back? Can the Government give me an assurance that it has no concerns about the conduct of Police Scotland's counter-corruption unit, which is the body at the centre of the claims?

Michael Matheson: IOCCO is an independent organisation that has oversight of matters relating to any public authorities in the UK that have powers under the Regulation of Investigatory Powers Act 2000. The timeframes for the investigation of any matters that IOCCO looks into are entirely a matter for IOCCO, and I expect it to report, in due course, on any police forces in the UK or any other organisations that it is investigating once it has completed the investigation process.

Graeme Pearson (South Scotland) (Lab): The drip-feed of information through the media is causing controversy throughout Scotland. Has the cabinet secretary been in contact with IOCCO and indicated any will on his part to see the matter concluded as early as possible?

Michael Matheson: The member will recognise that IOCCO is an independent organisation that is responsible for conducting any investigations into such matters. As I have stated, I expect it to report in due course on the two forces that it has stated that it is currently investigating, and I expect the process to be conducted in the way that IOCCO normally conducts its business.

Neil Findlay (Lothian) (Lab): I ask the cabinet secretary not for a civil service answer but for his own point of view. Does he believe that Police Scotland or any of its predecessor forces has monitored the activities of political activists—including activists in his party and mine—trade unionists and environmental campaigners? Does he think that that has happened?

Michael Matheson: The answer to that question is that I have no idea.

Education

The Presiding Officer (Tricia Marwick): The next item of business is a debate on motion S4M-14311, in the name of Angela Constance, on building on Scotland's educational success.

14:08

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): Despite the fiscal challenges of the past eight years, education in Scotland has made real progress. The Government has rebuilt or refurbished 526 schools, curriculum for excellence is setting higher standards for achievement than ever before and this year saw a record number of passes at higher and advanced higher, with more people receiving qualifications that relate to wider skills for life and work. More students are staying on at school until sixth year, which has been made possible for many by our retention and now extension of the education maintenance allowance. Through our developing the young workforce strategy, we are ensuring that all young people can undertake relevant, work-related learning as part of the curriculum.

We know that fewer people are leaving school with very low levels of qualifications, or no qualifications, and that more than nine out of 10 of last year's school leavers were in employment, education or training nine months after leaving school. We know that more of our population is educated at tertiary level than is the case in any other European country. We have a world-class higher education system, and our commission on widening access is working to ensure that all children have an equal chance of going to university.

We should all join in celebrating the achievements of our children and young people but, if we are to realise our ambition of a more socially just Scotland, we know that there is much more to do. We must build on success to ensure that every child and every young person, regardless of their background, receives an education that gives them the skills that they need to thrive rather than simply survive in life—an education that allows them to fly, not just get by. We want to have an education system that is focused on attainment and achievement and which is built around delivering equity and excellence and—crucially—aspiration and ambition.

Improving educational attainment for all children and tackling inequality are at the heart of this Government's agenda. Educational excellence is the means by which to achieve our ambitions as a nation and to close the attainment gap. No child

should be born to fail. I want every child in Scotland to have every chance to fulfil his or her potential. We owe it to them to rise to the challenge of addressing the inequalities that persist in our education system.

Core skills are crucial to success, so we have stepped up work to improve children's numeracy and literacy skills. Education Scotland inspections will increase their focus on raising attainment in literacy. We are spending £1.5 million per year on the read, write, count campaign for children in primaries 1 to 3. Through the making maths count programme, I have committed to providing more support to secondary school maths teachers to prepare and share resources.

According to the charity National Numeracy,

"it is culturally acceptable in the UK to be negative about maths".

We need to change that. We need to create a much more positive attitude to maths as an essential skill for learning, life and work. That is why I am establishing an expert group to explore attitudes to, and to promote greater enthusiasm for and confidence in, maths and numeracy among children and young people. I can announce that the group will be chaired by Maureen McKenna, who is the executive director of education services at Glasgow City Council. The group will be tasked with establishing a better understanding of the negative public perceptions of maths and numeracy and of how they can be addressed; recommending practical, cost-effective approaches to encouraging greater public enthusiasm for maths and numeracy; and considering how best to address the areas for development for learners that are identified through the Scottish survey of literacy and numeracy and other sources.

We know that early learning and childcare contributes significantly to achievement and attainment in the early years and throughout children's school education, and we know that high-quality early learning and childcare has major benefits in particular for those from the poorest families and that it contributes to narrowing the attainment gap for such children. Therefore, we are taking action here.

The Government has already done more than any other part of the United Kingdom to increase the entitlement to free early learning and childcare for all three and four-year-olds, and—for the first time—for more than a quarter of all two-year-olds. Over the coming years, we will almost double that entitlement, from 600 to 1,140 hours per year.

Liam McArthur (Orkney Islands) (LD): I noticed the cabinet secretary's careful language. She said that the Scottish Government is doing more than the rest of the UK, but that is not the

case in relation to two-year-olds from the most disadvantaged backgrounds. South of the border, 40 per cent of two-year-olds from such backgrounds are benefiting from early learning and childcare, whereas north of the border, although provision has been extended, the figure—as she said—is still only a quarter.

Angela Constance: The UK Government's aspiration might well be for 40 per cent of two-year-olds south of the border to access early learning and childcare, but the most recent figures that I have seen showed that only 13 per cent of two-year-olds there were able to access that provision.

There is also published information that shows that 40 per cent of local authorities in England are not meeting their target. I say to Mr McArthur that that is a typical example of the Liberal Democrats overpromising and underdelivering, which is something that this Government most certainly will not do when it comes to childcare. We are determined to increase the quantity of hours available, but not at the expense of quality—quantity and quality must go hand in hand.

We are taking action to raise the attainment of children in school through the £100 million attainment fund, with £11.7 million of funding made available this year to the seven challenge authorities and a further 57 schools benefiting from the fund this year. That means that more than 300 schools and more than 21 local authorities are now involved.

I make it clear that it was always our intention to extend the fund's reach beyond the first seven authorities this year. I am all too aware that there are pockets of poverty in every classroom, in every school and in every local authority. The scale of our ambition and reach is to work hard to close the gap wherever it exists in Scotland.

Mary Scanlon (Highlands and Islands) (Con): Audit Scotland said:

"Some schools have achieved better attainment results than their levels of deprivation would indicate, suggesting that the gap between the lowest and highest"

performance

"cannot be wholly attributed to ... deprivation."

We all accept that deprivation is a factor, but what is the cabinet secretary doing to look at all the other factors?

Angela Constance: I think that we can all agree that deprivation is a factor that impacts on our children's attainment. It is a shame that the Tory Government is continuing to progress with welfare cuts, which will definitely have an impact on our children's attainment. Perhaps the £103 million that this Government is spending on mitigating the effect of the welfare reforms of Mrs

Scanlon's Government could be better spent on education if we did not have to pick up the pieces of her failing Government south of the border. However, I agree with her that the Audit Scotland report raises some interesting and fundamental issues, including the point that what matters is not always how much we spend but often what we do with our time and resources.

The real prize from the fund will be the learning that we gain from schools and authorities about what works. That learning can and will be shared across Scotland as part of the universal support that we are putting in place to raise attainment.

The first attainment advisers are in post and we are on course to have appointed advisers to every local authority by the end of November. Advisers will work on the front line and reach into every learning community in Scotland to build capacity in schools.

The quality of our workforce and the excellence of our educational leadership provide the bedrock of our education system. All teachers must play their part and we must ensure that they have the support that they need to do that, so we are developing a new national improvement hub that will provide teachers with a range of tools and resources to help them to raise attainment and improve performance.

James Kelly (Rutherglen) (Lab): Why is it taking until the end of November to have an attainment adviser in place in every local authority?

Angela Constance: Some of Mr Kelly's colleagues on the Labour front bench with an education brief have highlighted that we most certainly do not want to adversely affect the availability of teachers in the classroom, so we have proceeded with care to get the right people in place and to ensure that there are no unintended consequences from recruiting the much-needed attainment advisers.

I will focus now on the national improvement framework. Since I became the education secretary, there has been strong debate about the need for more information on how our children are doing, particularly in primary and in lower secondary. Meaningful information is a key tool in informing learning and teaching.

That debate informed our programme for government, which had education and the new national improvement framework at its heart. The framework is the next phase of curriculum for excellence and builds on a strong record of achievement. It will bring together key information from a number of areas to evaluate performance and it will inform the action that is to be taken to improve achievement for every child. This is not about narrowing the curriculum or forcing teachers

to teach to a test and it is not about a return to high-stakes testing. Assessment will inform, not replace, teacher judgment.

Assessment is not an end in itself. The framework is about meeting children's needs, knowing how well they are doing in the classroom and identifying where schools and local authorities need more support. Assessment is just one part of the framework, which will also look at the key areas across education—school improvement, school leadership, teacher professionalism, parental involvement and performance information.

The framework sets clear priorities so that everyone who works in Scottish education is clear about what they are trying to achieve—to improve attainment, specifically in reading, writing and numeracy; to improve children's and young people's health and wellbeing; to improve the achievement of sustained school leaver destinations for all young people; and to close the attainment gap between the most and the least disadvantaged.

Last week, I wrote to every headteacher in Scotland to express my thanks for the significant contribution that they and their staff have made to implementing curriculum for excellence. Their professionalism and leadership are fundamental to achieving the improvements that we all want for all our children.

An intrinsic aim of the framework is that it will provide parents with meaningful information about their child's progress. Parents and parental organisations have a crucial role in working with us to ensure that the framework meets their needs. Starting in Edinburgh next week, we will have eight engagement events that are aimed at teachers, local authorities and parents, and in the coming months I want teachers and parents to continue to have their say and to shape the framework.

The successes of Scottish education to date are testament to the hard work and commitment of pupils, teachers, school leaders, parents and everyone who is involved in our education system. They deserve our recognition and our thanks, but there is more to do, and I make no apology for setting the bar high. I want every child in every community to have every chance to fulfil their potential and realise their dreams, no matter who they are or where they go to school. That is more than an ambition; it is indeed our moral imperative, and it is up to each and every one of us to shape the education system to ensure that it delivers that.

I move,

That the Parliament welcomes Scotland's educational success since 2007; further welcomes that more children

are entitled to the highest ever level of early learning and childcare, that the number of Primary 1 pupils in classes of 26 or more has fallen by 97%, that more young people get the qualifications that they need, that a record percentage leave for positive destinations and that more of the population is educated beyond school than in any other European country; notes, however, that the Scottish Government needs to do more to raise standards for all children, securing its twin aims of equity and excellence; acknowledges the investment in these aims through a range of initiatives focusing on closing the attainment gap, including the Scottish Attainment Challenge and the Attainment Scotland Fund; commends the Making Maths Count programme as a route to driving up attainment in maths and numeracy; recognises that it is important to gather the right evidence about children's progress to show that all that local authorities, schools, teachers, parents and children and young people themselves are doing to raise standards is working, and looks forward to the next steps in developing a national improvement framework to achieve this.

14:22

Iain Gray (East Lothian) (Lab): I will always relish the opportunity to celebrate Scotland's educational success and debate how we should build on it, so I am pleased to speak to my amendment this afternoon.

We have been proud of our education system for centuries, and rightly so. Almost every great leap forward in educational thinking has seen Scotland at the forefront—from the commonplace that, 500 years ago, Aberdeen alone had as many universities as the whole of England, to the idea that everyone should be able to read, write and count being legislated for as far back as 1696 in our predecessor Scottish Parliament. In the 19th century, we had the first women to formally enter undergraduate study—the Edinburgh seven, who were recently commemorated by the cabinet secretary's colleague Fiona Hyslop—and as recently as my school days, the flawed system of selective schooling was replaced by modern comprehensive schools. Scotland made that leap forwards while others prevaricated, leaving a fractured and fragmented system elsewhere.

Those are historical successes that we can and should build on. We should aspire to regain our global reputation with an accessible, equal education system that is broad in curriculum and world class in quality. How limited, then, is the success that the Government claims in its motion. It is damned by its own faint self-praise. I am reminded of the head scratching long ago as I wrote report cards and searched desperately for something—anything—positive to say about some pupils.

Perhaps the most egregious piece of empty back-patting in the motion is the phrase

"the number of Primary 1 pupils in classes of 26 or more has fallen by 97%".

We passed a law in this Parliament in 2010 that caps primary 1 class sizes at 25. The question is what is going on with the other 3 per cent. They appear to be in classes that are illegal. This is not a success. It is a failure, because the solemn election promise from the SNP was class sizes of 18 in primaries 1 to 3. It takes some kind of chutzpah to put broken election promises into law and then expect a round of applause for doing it.

The truth is that class sizes have gone up under the Government—and no wonder. That is because there are 4,200 fewer teachers in our schools, and there is a recruitment shortage to boot. The Scottish Government's own literacy and numeracy survey shows that standards are falling. As for more young people getting the qualifications that they need, that is a hollow boast, too, as higher pass rates fell last year and the year before, and numbers have also fallen in the crucial subjects of science, technology, engineering and mathematics. Those who get the qualifications to go to college will find that there are 140,000 fewer college places. As success goes, that is pretty fragile.

If the Scottish Government has done one thing right—the cabinet secretary spoke about this—it was sticking with the curriculum for excellence, but what a mess it has made of that, too. The work was done without enough support and on the good will of overstretched teachers. Initial results from the national 5s last year showed that the unintended consequence has been a narrowing of the curriculum, which was once lauded for its breadth.

The lowest point, of course, was the farce of the new higher maths exam. Alarm bells were rung by teachers, parents and thousands of pupils, who signed petitions. The cabinet secretary refused to listen and now tries to hide her blushes behind an unprecedented 34 per cent pass mark. This morning, the Scottish Qualifications Authority told the Education and Culture Committee that the new higher maths exam was too hard but that it had done its job. It did not do its job for the many pupils who gave up or left the exam in tears and have seen their prospects damaged. It is time the cabinet secretary did her job and ensured that that is sorted for next year.

At least the Government is trying to do the right thing with the attainment challenge. The greatest failing of our educational system is the stubborn fact that a person's success remains predicated on how well off their family is rather than their talent or how hard they work. We have made it very clear that we support the Government in finally beginning to try to address that, but it is making heavy going of it.

First we had the attainment advisers. The cabinet secretary and the First Minister could not

agree on how many attainment advisers there were going to be. The cabinet secretary said that there would be 12, but the First Minister overruled her to put one in every local authority. The adverts came out, and we saw that the advisers might be part time or full time and that the posts might be for a year or two years. I heard what the cabinet secretary said will happen by November; I have also heard that a grand total of seven attainment advisers have been appointed so far.

Then there is the attainment fund of £25 million a year, with no allocation formula. First, seven local authorities got a share. We pointed out, of course, that that meant that many schools in the city of Edinburgh that faced great educational barriers, for example, got nothing. Another 57 primary schools were therefore pulled out of the hat. Who knows how they were identified? That is people making it up as they go along.

Worst of all, the attainment challenge, worthy though it is, is now sinking into a row about testing. We have been clear that the current situation, in which local authorities buy in different diagnostic tests, is inefficient. More consistent data to drive policy is a good thing, but a return to high-stakes testing in primary schools is not. I know that the cabinet secretary says that she agrees with that, but the truth is that the First Minister has tried to pretend to one audience that the Government opposes national testing and to another that it is boldly and radically bringing it in.

James Maxton once said of politics:

"If you can't ride two horses at once, you shouldn't be in the circus."

The First Minister has tried to ride two horses on testing and has fallen off. Now, the Educational Institute of Scotland is up in arms and the Tories and the league table lovers in the media have thrown their arms around her national tests. I do not think that that is what she meant to happen.

Last month, Kezia Dugdale suggested that, if we are serious about closing the attainment gap, the inspection system should be shifted towards unannounced inspections and the work to close the gap should be assessed. Yesterday, the Government announced just that in a newspaper briefing. Teachers are up in arms again. The idea is right, but the Government's execution is cack-handed—it is making it up as it goes along.

We support cutting the attainment gap and having a national framework. For that reason alone, we will hold our nose at the empty self-praise of the Government motion and support it. However, this is an incompetent mess and the cabinet secretary needs to get a grip of the situation.

This cabinet secretary and this Government's greatest failure has been the failure to protect the education budget. For years, this Government has been cutting education spending even as it has been increasing in other parts of the United Kingdom. Now, although it tells us that cutting the attainment gap is a priority, it plans to spend 10 times as much on cutting the price of an airline ticket than it does on closing the attainment gap.

Last month, Kezia Dugdale suggested that, if we are serious about closing the attainment gap, the inspection system should be shifted towards unannounced inspections and the work to close the gap should be assessed. Yesterday, the Government announced just that in a newspaper briefing. Teachers are up in arms again. The idea is right, but the Government's execution is cack-handed—it is making it up as it goes along.

We support cutting the attainment gap and having a national framework. For that reason alone, we will hold our nose at the empty self-praise of the Government motion and support it. However, this is an incompetent mess and the cabinet secretary needs to get a grip of the situation.

This cabinet secretary and this Government's greatest failure has been the failure to protect the education budget. For years, this Government has been cutting education spending even as it has been increasing in other parts of the United Kingdom. Now, although it tells us that cutting the attainment gap is a priority, it plans to spend ten times as much on cutting the price of an airline ticket than it does on closing the attainment gap.

Angela Constance: The latest information from local government shows that education spend this year will go up by 3.3 per cent. Will Iain Gray comment on that? What message does he have for the Labour councils the length and breadth of Scotland, which are responsible, legally and operationally, for delivering education?

Iain Gray: Ah—so spending on education is not the responsibility of the education secretary. My theme is that it is time that the cabinet secretary started to do her job.

As for any increase on this year's budget, that will be terrific, although that will make up only a little bit of eight years of budget erosion. The truth is that, instead of cutting tax, we should be increasing the attainment fund, beginning to reverse the college cuts and providing a proper system of student support for further education students and those going to universities from poorer families.

We will soon have the power to impose a 50p top tax rate. Will the cabinet secretary commit to use that to help youngsters from our poorer families get a better start in life? The potential

rewards are great. It can be done. In Wales, a Labour Government for which education is a priority has cut the attainment gap by more than 11 per cent in just three years. Is the cabinet secretary serious about educational equality, or is it just words? Will her report card forever read, "Must try harder; too easily distracted from what really matters"?

I move amendment S4M-14311.2, to insert at end:

"...recognises that there are over 4,000 fewer teachers in Scottish schools than there were when the SNP administration came to power in 2007, class sizes are rising, over 6,000 pupils left primary school in 2014 with a poor standard of reading, the most deprived fifth of pupils in Scotland are half as likely to achieve one or more Highers and go on to higher education as the least deprived fifth and there are 140,000 fewer college students than in 2007; believes that Scotland must do much more to raise educational standards and close the attainment gap; supports an end to funding cuts for further education, and commits to an investment in additional literacy specialists in schools funded from a 50p top rate of Scottish income tax when power over income tax rates and bands becomes devolved."

14:32

Mary Scanlon (Highlands and Islands) (Con):

I thank the Scottish Government for holding a debate on education—in recent years, many education debates have been held in Opposition time. On the same consensual note, I also agree with one sentence in the Government's motion—that it must

"do more to raise standards for all children".

We can all agree with that.

However, we have difficulty with the Government's congratulatory tone of its motion. It

"welcomes Scotland's educational success since 2007".

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): You are welcome.

Mary Scanlon: Let us look at the education successes, Dr Allan. I am very happy to tell the minister about his Government's record since 2007.

According to the Scottish survey of literacy and numeracy, in literacy an average 12 per cent fewer pupils were doing well in S2 than in P7; and in numeracy there has been a 24 per cent fall in pupil performance between P7 and S2. Why does pupils' performance deteriorate as they progress through school? Surely the opposite should be the case.

Much of the debate in this chamber is focused on the desperate and critical need for pupils in computing, science, engineering and maths. However, in the past two years alone, according to

the learned societies group on Scottish science submission to the Education and Culture Committee, for nationals 4 and 5, which were previously the standard grades, computing was down 29 per cent, engineering-related subjects were down 13 per cent, chemistry was down 11 per cent, biology was down 8 per cent, and physics and maths were down 5 per cent. Furthermore, the Scottish science baccalaureate, which was launched in 2009, had 151 entrants in 2012 and now has only 92 entrants.

Angela Constance: I wonder whether Mrs Scanlon would be interested to know that since 2007 the number of STEM higher entries has gone up by 12 per cent and STEM higher passes have gone up by 15 per cent.

Mary Scanlon: We can trade numbers, but I have just given factual, accurate numbers for the past two years, which come from the learned societies group. If the cabinet secretary wants things to get better, she should take responsibility for her own record.

On the loss of almost 150,000 part-time college places, the Scottish Government is always keen to tell us that those places were replaced by full-time places. That sounds quite reasonable. However, although 150,000 part-time places were cut in the five years to 2013-14, only 3,000 full-time places were created as a result. In other words, for every 50 part-time places cut—for every 50 part-time students who could not access a course and were turned away—one full-time place was created.

I feel passionately about the 48 per cent cut in part-time students, because some years ago I was a part-time student. As a teenager with a full-time job I joined the queues for night classes at Dundee College of Commerce to do highers and typing qualifications. I taught night classes for many years. I could never have gone to university later if I had not had the opportunity to do a part-time course. I ask the Scottish Government not to dismiss part-time courses as hobby courses, because to do so is to insult many people in this country.

It is also disappointing that college places for the over-25s have been cut by 41 per cent. There are 74,000 fewer places than there were five years ago. The nationalist Government shows a distinct lack of understanding of people who deserve a second chance after their school experience.

Angela Constance: Will the member give way?

Mary Scanlon: May I first give this figure? I would be delighted if the cabinet secretary responded to it. An Audit Scotland report confirmed that over the past five years there has been a cut of 70 per cent in the number of under-16s attending college. That is not what Ian Wood

was asking for in his commission for developing Scotland's young workforce.

Angela Constance: Ian Wood spoke favourably about the college reform programme and how it had created a great platform and opportunity for the success of our children. We are investing in modernised school-college partnerships. I wonder whether Mrs Scanlon recognises that the number of under-25s and over-25s studying full-time at colleges has actually increased.

Mary Scanlon: I do not know whether the cabinet secretary heard what I was saying. Some 150,000 would-be part-time students cannot find a place, due to the cut—

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): No, no, no.

The Deputy Presiding Officer (John Scott): Order.

Mary Scanlon: The Government has created 3,000 full-time places.

There is also a desperate need for information technology courses, but there are 24,000 fewer students on further education IT courses.

I see that I am rapidly running out of time—

The Deputy Presiding Officer: There is time in hand today.

Mary Scanlon: We are in favour of testing, assessment or whatever the Government wants to call it, as a diagnostic tool to ensure that no child is left behind. Children are being left behind just now.

The Minister for Children and Young People (Aileen Campbell): Will the member give way?

Mary Scanlon: No. I am in my final minute and I have given way twice—and really, what a total waste of time that was.

We hope that the Government will work with teachers and schools to learn from good practice and ensure that it puts pupils' needs at the centre of its proposals. In a report, EIS expressed its disappointment at the SQA's apparent inability to respond appropriately to significant feedback from teachers. That is a matter of deep and on-going frustration for EIS. It is not necessary or helpful for the Government to set a collision course with teachers. Even less helpful is a dictatorial and arrogant approach.

We want every child to get the help that they need when they need it. We want children to perform well in secondary as well as primary education—[*Interruption.*] I hope that the nationalist members—who are very vocal on the front bench—will understand why the Opposition parties are not exactly overwhelmed with joy at

their record. To be honest, I have never seen such long amendments. Most of us could have written about five pages, but that would not have been acceptable to you, Presiding Officer. The amendments are incredible.

As I said to the cabinet secretary at the start, Audit Scotland has done a lot of work on attainment. The Government needs to look at more than deprivation. I also ask the cabinet secretary to examine why pupils who need additional support in English get help for sitting national 5 but no help with national 4. That would be a step in the right direction towards examining attainment levels.

I move amendment S4M-14311.1, to leave out from first “welcomes” to end and insert:

“believes that the journey toward educational success in Scotland has been hampered by Scottish Government policies that have failed to put the appropriate focus on the most pressing issues, specifically the worrying decline in attainment and key skills as measured by the most recent Scottish survey of literacy and numeracy; is concerned that this decline has a greater detrimental effect on the most deprived children, thereby contributing to the unacceptable attainment gap between pupils from poorer and wealthier backgrounds; notes the challenges that have been faced by teachers and pupils during the implementation of the curriculum for excellence as it relates to achieving better qualitative learning outcomes, and condemns the fact that the severe cuts to the college sector, including the loss of 140,000 places and a 12% real-terms budget cut since 2011-12, have had a disproportionate impact on students with caring responsibilities, disabled students and those who are furthest from education and training opportunities.”

The Deputy Presiding Officer: We have a bit of time in hand. Mr McArthur, you have six minutes or thereabouts.

14:40

Liam McArthur (Orkney Islands) (LD): Like members who have spoken previously, I need no persuading about the many strengths of Scotland’s education system. Daily in my constituency I see evidence of those strengths—evidence that is replicated in schools, colleges, universities and other settings throughout Scotland, so I record again my thanks to our teaching and other staff for the contribution that they make to shaping lives, young and old. Having attended Orkney College UHI’s graduation awards ceremony last week in the spectacular surroundings of St Magnus cathedral, I also pay tribute to the pupils and students for the hard work that they put in.

The debate is not simply a celebration of our education system’s successes; as Iain Gray points out, it asks Parliament to consider how we might build on those successes. That is not an invitation to wallow in self-congratulation or to gloss over the extent of the issues that need to be addressed. Rather, it places an onus on all of us—especially

ministers—to be honest about where things are not working as they should work, and where improvement or change is needed. That is the recurring theme in all three amendments. I will focus on the aspects that are identified in my amendment, but I readily acknowledge and share some of the concerns that Iain Gray and Mary Scanlon highlighted, notably those about the significant cuts to college budgets, courses and staff.

It is fair to say that the cuts—which the Liberal Democrats were successful in getting the Government to mitigate to an extent—have had a disproportionate impact on some of the people who are most in need. That illustrates perfectly the mismatch between Government aspiration and action. The cabinet secretary is absolutely right to identify the urgency of closing the gap in attainment between those from poorer backgrounds and their wealthier counterparts, although, after eight years in office, that is surely not a revelation to ministers. Although the rhetoric is faultless—the First Minister has gone as far as to claim that she intends to close the gap completely, which appears to fall into the category, to which the education secretary referred, of “overpromising” with the potential of “underdelivering”—the action to address the problem too often appears to be inadequate. In certain instances, Government policy is exacerbating the problems.

All the evidence shows that the gap begins to open up in the earliest years, even pre-birth. Worryingly, despite the now almost universal acceptance of that fact, the most recent survey of literacy and numeracy shows that the gap is widening. By the age of five, the gap in reading attainment between children from low-income families and those from high-income families is more than a year. Thereafter, it is likely only to widen, and certainly becomes more difficult and costly to close.

That is why the Scottish Liberal Democrats have been so adamant about the need to improve and expand early learning and childcare for two-year-olds from the most deprived backgrounds. I welcome the Scottish Government’s agreement last year to extend provision—a decision that will make a profound difference to the lives of those who now benefit. However, I also firmly believe that we can and should go further, and that we should match what was put in place south of the border thanks to the Liberal Democrats in the last UK coalition Government.

John Mason (Glasgow Shettleston) (SNP): Liam McArthur has asked for more resources for colleges, as I understand it, and is also asking for more resources for early learning. Does he have in

mind a place from where those resources would come?

Liam McArthur: That is the complaint of the Government time and again, but when doing so suits its purposes, it seems to be able to juggle things around within its budgets and come up with headline figures for the latest flagship initiative. We have argued the case on colleges and childcare. On childcare in particular, as John Mason will recall, we were told that we would need the resources that would come only with independence even to move us to the modest 25 per cent of two-year-olds who are now covered miraculously after a change at the 11th hour in last year's budget.

I entirely accept the concerns of many people in the children's sector who wish to avoid a Dutch auction on early learning and childcare. They are right, as is the education secretary, that we need a ruthless focus on quality and the importance of wraparound care. However, I do not see that as being incompatible with the Scottish Government showing more ambition now. It could extend provision to cover 40 per cent of children from the poorest backgrounds, thereby allowing them to benefit in the same way as their counterparts in England.

Of course, the support is targeted at those who need it most. I believe that that is the most effective approach. We can contrast that with the area-based approach of the Scottish Government's attainment fund. Ministers appear to have tacitly accepted that it is wrong because they are now allowing a number of primary schools across the country to access the fund. However, the fact is that children who are living in poverty in many parts of the country, including the Highlands and Islands, the north-east, the south-west and Edinburgh, are still denied access to the £100 million that is available. It seems that their needs are not as great or as important. I am sure that Angela Constance would dispute that, but it is difficult to know what other conclusion to draw.

That is also why Scottish Liberal Democrats have long advocated a pupil-premium approach that targets the individual child and their specific needs, rather than an area or a school. That approach might need to be adapted in Scotland. At the very least, ministers should be looking to pilot it, rather than simply depositing it in the "too difficult" box.

Angela Constance: I hear Liam McArthur talking a lot about a pupil-premium approach. Can he point to hard and fast evidence that the pupil premium delivers an improvement in outcomes for students? The evidence that I have seen has shown that the contrary is true, and that it has not led to sustained improvement. If he has evidence, let us have a look at it.

Liam McArthur: In terms of sustained improvement, I presume that we would need some sort of longitudinal study to develop that. However, it is telling that Save the Children and other children's charities make the same point about the need to target the resource at the individual children who need it.

The Government also needs to rethink its plans for national standardised testing. The education secretary and the First Minister insist that it is needed to help to tackle the attainment gap and will not herald a return to teaching to the test and league tables. However, few believe them. Initially, conditional support from the EIS was paraded by ministers who were desperate to justify their plans and reassure a sceptical public, teaching profession and pupils. However, the Educational Institute of Scotland now insists that

"it will be almost impossible to put in place safeguards which would stop national assessments leading to the league table, target-setting agenda which CfE was supposed to have ended".

Only the Conservatives have been unequivocal in their support for the SNP's plans for standardised testing, but they have no problem with league tables.

Finally, let me touch on teacher numbers and class sizes. The minister's motion asks us to celebrate the Government's successes. However, with 4,000 fewer teachers than there were in 2007 and a class-size commitment for P1 to P3 that has never been close to being honoured, that self-congratulatory tone seems to be misplaced. Even the agreement that was reached to safeguard teacher numbers is proving to be problematic. It is putting individual local authorities, which are already constrained by a never-ending council tax freeze, in a straitjacket. Council representatives told the Education and Culture Committee recently that the lack of flexibility is causing huge problems in matching teacher supply with demand, and is also resulting in large numbers of support staff being laid off. The comparison was made with police service reform and the effect on civilian staff roles. Again, that is hardly progressive.

None of what I have said detracts from the success and quality of education in Scotland, nor is it talking down the work that is done by the teachers and others who work in the sector. However, if we are serious about building on success, about addressing weaknesses that exist and about making genuine headway at last in closing the gap in attainment, we need to be honest and ambitious about what needs to be done.

I move amendment S4M-14311.3, to leave out from "Scotland's educational success" to end and insert:

"the expansion of free nursery care for two-year-olds but is concerned that provision in Scotland still lags behind that available in England; believes that this support can help contribute toward addressing the difference in reading attainment between children from low-income and high-income households by the age of five, which is on average 13 months; understands that the average class size in the early years of primary school continued to increase to 23.3 in 2014, despite the SNP's 2007 manifesto commitment to cut class sizes to 18 or less for Primary 1 to 3 pupils; understands that teacher numbers have fallen by approximately 4,000 since 2007 and regrets the rigid approach that the Scottish Government has taken to the enforcement of the teacher number guarantee; notes opposition to the reintroduction of standardised national testing and the views of the Educational Institute of Scotland (EIS) that "it will be almost impossible to put in place safeguards which would stop national assessments leading to the league table, target-setting agenda which Curriculum for Excellence was supposed to have ended"; welcomes the Scottish Government's decision to dedicate more resources to tackling the attainment gap; however, considers that, while the Scottish Attainment Fund will make a difference in selected areas, it ignores the needs of children facing poverty and disadvantage elsewhere in Scotland, including Aberdeen, Edinburgh, Dumfries and Galloway and the Highlands and Islands, and urges the Scottish Government to introduce a pupil premium that targets funding at individual school-aged children in need, wherever they may live, as a means of helping close the attainment gap and improving equality of opportunity."

14:49

George Adam (Paisley) (SNP): Dealing with the attainment gap is one of the most challenging and important issues that we debate in the chamber. The Scottish Government's new Scottish attainment challenge will be backed by a £100 million attainment fund to help pupils from our most disadvantaged communities and offer them opportunities.

Much has been said about how we are doing with regard to many subjects, including maths. I am not one for boring Parliament with Audit Scotland reports, but on this occasion I refer members to the last programme for international student assessment—PISA—scores, which show that, in maths, Scotland is doing better than Norway, Sweden, Wales and England. If things are so bad, why are we such a success story in subjects such as maths? Sometimes, facts and figures are used by the Opposition to try to support its arguments.

Mary Scanlon: Will George Adam give way?

George Adam: I will first make this point. School education in Scotland is getting better and there are record exam results and a record number of school leavers in work, education or training. However, we must never sit back—there is no place for self-congratulation. We will continue to look to the future to see what we can do for the young people of Scotland. The Scottish Government has prioritised raising attainment and closing the attainment gap. It does not believe that

reducing teacher numbers is the best way to deliver those goals. That is why the Scottish Government made a £51 million offer to local government to protect teacher numbers, which was accepted by all 32 local authorities.

Hugh Henry (Renfrewshire South) (Lab): On the point about teacher numbers, why, when George Adam was a councillor and the SNP was in Government, did he vote to cut more than 200 teachers from the teacher complement in Renfrewshire Council?

George Adam: Mr Henry and I could sit here and have a Renfrewshire Council debate, but this is the Parliament of Scotland. We are here to talk about the future of our young people and to ensure that we can deliver that future.

The Scottish Government's new attainment Scotland fund will be backed by more than £100 million. If Mr Henry wants to talk about the real issues that are happening in Renfrewshire, let us talk about areas such as Ferguslie Park, which have been left for decades. My father was born in Ferguslie Park. The attainment gap was there in the 1940s, when he was born, and it has been there ever since. The Scottish Government says that that is long longer acceptable: it will no longer allow people to have low attainment because of where they come from.

Initially, the attainment Scotland fund will target schools that have the biggest concentration of households in deprived areas. The targets will not just be plucked out of the sky; they will be identified through the Scottish index of multiple deprivation. Those areas will benefit from greater access to expertise and resources to ensure that they can get additional teachers and materials for classrooms, and are able to develop new out-of-school activities.

I have previously mentioned Wester Hailes education centre. When the Education and Culture Committee visited it, staff showed us how they had found a way to ensure that they had resources and were able to provide support to children who were having difficulties. For me, that is the way forward.

Mary Scanlon rose—

Iain Gray: Although Mr Adam makes some good points, the fact of the matter is that Wester Hailes education centre still receives no money from the attainment fund. Would he support me in my proposal for a 50p tax rate so that we can spend more money in Ferguslie Park and so that WHEC can get some support, too?

George Adam: We are dealing with the here and now and how we can make a difference. Because of the way in which the fund has been set up, two primary schools in Ferguslie Park are

receiving funding. That proves that the funding is going to the right places. The clear objective to give all primary school pupils, regardless of their background, the best start in life is helping to ensure that we improve literacy, numeracy, health and wellbeing in those primary schools.

Figures from the Office for National Statistics from June 2014 show that Scotland is the most highly educated country in Europe and is among the best educated in the world. More than two fifths of people in Scotland aged 25 to 64 are educated to college and university level. That outstrips Ireland, Luxembourg and Finland at the top of the table. The rest of Europe, including the UK as a whole, falls below two fifths.

In 2013, Scotland had the highest proportion of usual residents with national vocational qualifications at level 4 or above. That is not the case in England, to the extent that Joe Grice, the Office of National Statistics's chief economic adviser, said:

"In terms of the proportion of the population going into higher and tertiary education, Scotland actually has just about the highest in the world. Scotland also does very well in terms of people in the working-age population (16-64) that have got a qualification at NVQ4 or above. Both of those are quite strong indications of a skilled workforce in Scotland."

Even with all those good things happening in education, we need to overcome the barrier of poverty. That is not an excuse, and we must not underplay the role that poverty plays. An additional 100,000 Scots children will, as the cabinet secretary said, by 2020 be living in poverty because of the UK welfare reforms, and that is not counting the next round of cuts that are due in 2017-18. With a majority Conservative Government in Westminster, there is worse yet to come.

The Scottish Government will do all that it can to minimise the impact of those policies with the limited powers of this place, but we must ensure that all our children, in all parts of Scotland, are given the opportunity to succeed and to be everything that they can possibly be.

14:55

Cara Hilton (Dunfermline) (Lab): I am pleased to speak in today's debate on how we can build on Scotland's educational success. All of us across the chamber want Scotland to have an education system to be proud of. We are all ambitious for our children and our young people, and we all aspire to a Scotland in which every single child has the opportunity to fulfil their potential, regardless of their background.

As a mum with three children at primary school, I see every day the huge value of an excellent

education and the dedication of our excellent teachers and support staff. There is no greater investment that we can make than in our children and in ensuring that all children get the best possible start.

It is very rare that I quote Tony Blair, but Tony was absolutely spot on when he said that "education, education, education" should be the top three priorities of a progressive Government.

Aileen Campbell: The first thing he did was impose tuition fees.

Cara Hilton: We will only ever achieve a fairer, more progressive Scotland—indeed, a fairer, more progressive world—if we ensure that life is fairer, better and more equal for every child. *[Interruption]*

The Deputy Presiding Officer: Just a moment. Would those who wish to intervene please do so not from a sedentary position? I make particular reference to the front bench.

Cara Hilton: The Scottish Government's motion paints a very rosy picture of Scotland's educational success and of the Scottish National Party's achievements in that area. I will focus on progress in closing the attainment gap. It is very interesting that the Government's motion makes no reference at all to literacy, although I am pleased that the cabinet secretary outlined the steps that the Government is taking to address that issue.

All the evidence shows that ensuring that every child leaves school able to read well is key to tackling educational inequality and to closing the attainment gap. Right now in Scotland, one in five children growing up in poverty leaves primary school unable to read well. That is four times higher than the figure for children from the least disadvantaged backgrounds.

We can turn that around only by intervening early to ensure that every child has a good level of language skills well before they start school. Save the Children's "Ready to Read" report, which was published in June, revealed that Scotland's poorest children are already struggling with language and literacy when they start school. Children from more deprived areas are twice as likely to struggle with language development from as early as three years old. Those struggles continue into primary school, into high school and into the workplace. The language gap affects not only children's learning and opportunities in school, but the rest of their lives.

Children who read well by the end of primary school do better at high school, leave with better exam results and do better in the workplace. In contrast, in Scotland the poorest children are half as likely to go to university. Cuts to college places and budgets mean that even fewer options are

now open to young people from more deprived backgrounds.

Child poverty is set to rise, thanks to the Tory Government's cuts to tax credits and its austerity policies. The need for further, targeted investment to support the early years workforce with language and communication development is all the more urgent if we are to turn that around and ensure that every child in Scotland has the best foundation for success.

In its excellent briefing for today's debate, NSPCC Scotland highlights the Marmot report, which concluded:

"The foundations for virtually every aspect of human development ... are laid in early childhood. What happens during these early years ... has lifelong effects".

Having attainment advisers in schools is a great idea, but only by prioritising initiatives to target pre-birth to three years will we prevent the attainment gap in education from opening in the first place.

I would like to see more commitment from the Scottish Government and local authorities to ensure the proper funding of speech and language therapy services. Speech and language therapists have a vital role to play in providing early intervention to prevent speech, language and communication difficulties and in supporting children and their parents, in and out of the classroom, yet funding for those services has been cut in recent years. Given the key role that those services play in supporting children, parents and teachers, I hope that the Scottish Government will take action to ensure that every child in Scotland has access to quality speech and language therapy services, wherever and whenever they are needed.

I am pleased that Fife has finally been included in the attainment Scotland fund, which is an initiative that I welcome. I note that the cabinet secretary has committed to roll that out, but it will make little difference to most children and schools. In my Dunfermline constituency, only two schools will benefit from the attainment fund: St Serf's in High Valleyfield and Inzievar in Oakley. Yesterday, I visited Lynburn primary in Abbeyview. That area has one of the highest levels of multiple deprivation in Scotland, yet the school will not receive a penny from the fund.

If we are going to end the cycle of disadvantage, helping some children in some schools is not good enough; every school in every area needs to focus on closing the gap. Breaking the cycle of disadvantage is a huge task and once again I encourage the cabinet secretary and the Scottish Government to learn from the success in Fife, where significant progress has been made in closing the gap.

Fife has invested £7.8 million in the early years, to give children the best start in life. It has developed a family nurture approach, which delivers wide-ranging family support and targeted parenting programmes, and it has invested in extended family nurture centres across Fife. On top of that, it has invested £2.5 million in initiatives to close the gap, with a focus on the quality of learning and teaching. Investment has been made in classroom assistants and literacy programmes.

The results speak for themselves. Although the most recent literacy figures for Scotland revealed a worrying drop in standards, literacy levels in Fife are on the rise. For pupils from the 20 per cent most disadvantaged backgrounds, performance in reading accuracy is above the national average and reading comprehension has shown significant improvement. Fife has successfully started to close the gap. There has been a 10 per cent improvement in literacy levels among children in the most deprived areas of Fife.

The approach that is being followed in Fife works and is a huge credit to the Labour-led administration. It illustrates what can be achieved when new approaches are adopted and when ending the cycle of disadvantage is the top policy priority and is at the centre of all we do.

It is time for the Scottish Government to stop congratulating itself and to start taking decisive action to make our education system fairer for every child. In Scotland today, a child's educational outcomes depend more on their parents' income and background than on any other factor. It is an absolute outrage that almost half of our poorest children who started high school in August are unable to read or write well. Those children have spent all their time at school under a Scottish National Party Government.

We will rightly be able to claim educational success when every child in Scotland can fulfil their true potential. Right now, thousands of young Scots are being left behind, and that is not a record to be proud of.

15:02

Stewart Maxwell (West Scotland) (SNP): Since 2007, one of the Scottish Government's central goals has been to use this Parliament's limited powers to strive for a fairer, more equal society.

Decades of mismanagement in the years before devolution created a legacy of inequality and emigration, and a feeling of hopelessness amongst many people who felt that they had less opportunity than the generation that preceded them. Unfortunately, as we all know, poverty was embedded in our society. Its eradication is a generational project that cannot be solved by a

single Government or a single session of Parliament.

Nonetheless, we can always do more to build momentum towards creating a society that gives all Scotland's young people hope for the future and an opportunity to make the most of their talents, no matter their background. Undoubtedly education is one of the most powerful tools at our disposal to create the fairer and more equal society that everyone in the chamber would like to see.

Since 2007, the Scottish Government has invested in and improved our education system, and made progress on the vital long-term project of eradicating poverty. If we continue on the path that has been set, a child born today in one of our most deprived communities should, by the time they leave school, have the same chance of going to university as a child born in one of our most affluent communities.

We are fighting against damaging Westminster austerity and extremely damaging cuts. There are no quick and easy fixes and we must continue to build on our achievements, to ensure that the promise of a more equal future becomes a reality.

The £100 million that has been invested in the attainment Scotland fund will help to facilitate that change. The First Minister's recent announcement of the fund's expansion has meant that more than 300 primary schools will soon benefit from the additional funding to improve literacy, numeracy and health.

Scottish Government programmes such as the early years collaborative, raising attainment for all and developing the young workforce will have benefits for our young people.

In 2008, just two in 10 students from the most deprived areas of Scotland obtained at least one higher or equivalent. By last year, we had doubled that number to four out of 10. Although such progress is welcome, I believe that we can do more to increase the rate of change. In order to do so, the Scottish Government must work collaboratively with universities, colleges, local authorities and other organisations—particularly those in the third sector—around the country.

In my region, West College Scotland demonstrates how that partnership works in practice. As a regional college it has helped to implement policy by co-ordinating efforts across local authority boundaries. The college recognises that tackling the attainment gap does not start at college, which is why it works with local schools to develop skills and employability for the future. West College Scotland also offers programmes to 3,000 senior-phase students in 40 schools, with almost half of that education being delivered to students from the 20 per cent of areas with the

most deprivation in Scotland. That is a clear example of how Scottish Government programmes such as developing the young workforce can and will deliver positive results.

However, the attainment fund and the other measures that I have highlighted are only part of the answer. We need to ensure that our young people are taught in schools that are fit for purpose, and I am therefore delighted by the priority that the Scottish Government has placed on renewing the school estate. Since 2007, we have rebuilt or refurbished one fifth of all school premises throughout the country—more than 500 in total.

I am pleased with the work to protect teacher numbers, with the Scottish Government providing £51 million of additional funding to support local authorities. It must be recognised that hiring teachers is the responsibility of local authorities. That is why I welcome the fact that all 32 local authorities have now committed to protecting teacher numbers, and I look forward to them honouring that commitment in the years ahead.

As we move towards a parliamentary election in 2016, I am confident that the education policies that we have pursued in government will be vindicated with a new mandate from the electorate. Pupils have achieved record exam results and record numbers of school leavers are entering work, education or training. This year students have achieved 156,000 higher passes, which represents an increase of 5.5 per cent from 2014, and advanced higher passes have increased by 4 per cent to a record level of 18,899.

Recently published Scottish Government figures indicate that the number of young people who are not in education, employment or training has fallen to an all-time low. That progress has meant that the number of 16 to 19-year-olds who are not in education, employment or training has decreased across 30 of Scotland's 32 local authorities.

As of March 2015, 91.7 per cent of school leavers were in a sustained positive destination, which represents a rise of 1.3 per cent on the 2012-13 figures.

Neil Findlay (Lothian) (Lab): Does Mr Maxwell have any critique of, or concerns about, the educational attainment gap in Scotland, or is everything just hunky-dory?

Stewart Maxwell: Neil Findlay makes a rather bizarre intervention. Of course there are concerns—I said clearly at the start of my speech that we are not doing enough or going fast or far enough, and that there is work to be done. However, it is a generational change: generations on generations of people in Scotland have lived through years of poverty and poor attainment.

Mr Findlay's party has been in power for decade after decade in the UK. Under those decades of Labour Party misrule, people in Scotland have been living in poverty and have not attained through educational opportunities as they should have done. Mr Findlay has nothing to teach us about supporting the working people and poor people in this country. Those people suffered under Labour Governments for decades, and I will not take any lessons from him on that matter.

The modern apprenticeship scheme has contributed to the results that I described, and we have managed to increase the number of modern apprenticeships by 60 per cent—well above the rates that we inherited from the Labour-Liberal Executive—since we came to power in 2007.

It is clear that the Scottish Government has a strong track record of delivering improvements to our education system, not to mention the fact that we have increased the available hours for free early learning and childcare by 45 per cent to 600 hours per year.

Polling from earlier in the year reflects the trust that the electorate has in the Government. Not only did respondents trust the SNP with education more than all the other parties put together, but voter trust in SNP education policies outstripped trust in those of Labour by more than two to one.

However, there is always more to be done, and I want to ensure that all Scotland's young people have an equal opportunity to fulfil their potential. We have achieved a lot in the past eight years, but I want this Government to have the opportunity to build on that success.

Together we can continue to build an education system that not only gives our young people the best start in life, but breaks once and for all the dreadful decades-long link between poverty and lack of opportunity.

15:09

Hugh Henry (Renfrewshire South) (Lab): I am sure that Stewart Maxwell will want to correct the record of his comments about Labour's record on poverty, particularly child poverty. It is on record that Labour cut child poverty in Scotland and across the United Kingdom during its term in office. Indeed, since Labour left power, child poverty has increased in Scotland and across the UK.

What is depressing about today's motion and the cabinet secretary's contribution is her poverty of ambition and how easily pleased she is. She seems to think that it is something to boast about. In her motion, she takes the starting point "since 2007". I remember the debate in the run-up to the 2007 election and the cast-iron guarantees that

were given to teachers and the electorate that teacher numbers would be maintained. Lo and behold, teacher numbers have fallen by 4,000 across Scotland. Apparently that is now not the Scottish Government's responsibility but the fault of the local authorities. Why did the SNP make that promise in 2007 if it was not in a position to deliver on it or if it had no intention of delivering on it?

There is a further issue. I listened to George Adam's contribution, in which he said that we could have a debate about Renfrewshire Council if we wanted to, so let us look at what people say and at what they do. When George Adam was a councillor and the SNP was in power in the Scottish Government, he voted to cut the number of teachers in Renfrewshire by 200. That was a deliberate action by the SNP council, working with the SNP Government, to have fewer teachers in Renfrewshire. If lower teacher numbers are the fault of councils rather than of the Scottish Government, the SNP council is to blame for that in Renfrewshire.

There is also an example of poverty of ambition and of the cabinet secretary being easily pleased when it comes to class sizes. Ahead of the 2007 election, we were told that class sizes would be cut by 2011. I remember questioning the First Minister and other ministers at the time and we were promised that it would be done. However, I had documentary evidence that the universities had told Scottish Government officials that the promise could not be delivered by 2011 and, indeed, it might not even be delivered by 2015. The Scottish Government officials told that to the cabinet secretary, but ministers persisted in saying that it would be delivered even though they had been told and knew that it could not be done. Where was their ambition when they knew that they could not deliver on it?

By far the greatest sense of disappointment comes from the debate about deprived areas, more affluent areas and what is being done in the attainment fund. It has only taken eight years for the Government to wake up to that problem. It has only taken eight years for it to give a commitment that something would be done. However, when the Government takes action, what we see is but a pittance compared with the overall scale of the problem.

If the Scottish Government wanted to match the commitment from local authorities, it could match the £3 million that Renfrewshire Council is investing to do something about it. Instead, the Scottish Government has decided to give Renfrewshire Council something in the region of £240,000 to £250,000.

George Adam told Parliament that the funding will go to the right places, so let us see what that

means. Renfrewshire—my area and George Adam's area—is getting £240,000; Dundee, which is a similarly sized authority, is getting £2,145,000; and North Ayrshire, which is another similarly sized authority, is getting £1,965,000. According to George Adam, the money is going to the right places. That will be news to the people whom George Adam represents in Renfrewshire, who he believes do not deserve any additional funding.

George Adam: Is Mr Henry saying that it is a bad thing that funding is going to areas such as Ferguslie Park? Is he saying that the Scottish Government making that funding opportunity possible is a negative thing?

Hugh Henry: I think that George Adam, in many respects, has the attention span of a goldfish and a lack of vision that reminds me of Proverbs 29:18, because there is no vision or ambition. He asked about Ferguslie Park. Of course I cannot complain about money going to Ferguslie Park, but I can complain that in my area of Johnstone, where St David's primary is getting a small amount of money, the school that sits in the same shared campus—Cochrane Castle primary—is getting nothing. I can complain about Auchenlodment primary in Johnstone Castle—one of the poorest areas in Renfrewshire—not getting a single penny. I can complain that there is a disparity of funding in Scotland.

There is insufficient funding but George Adam can tell me and tell us and tell the people whom he represents that it is right that Dundee gets nearly 10 times more than Renfrewshire and that it is right that North Ayrshire gets nearly eight or nine times more than Renfrewshire and he is content with that. Frankly, I am not content.

It is a disgrace, as Iain Gray and others have pointed out, that the poorest pupils in our schools are still failing to get the life chances that those in better-off areas are getting. Why do pupils in Linwood have less chance of getting the exam results that they need to go to university compared with those in Houston, just up the road? It is not because they have poorer teachers and it is not because the pupils are any less bright; it is because their life circumstances and life chances are not as good. That is where this Government is failing.

15:17

Fiona McLeod (Strathkelvin and Bearsden) (SNP): In the programme for government debate a few weeks ago, I made a speech about literacy from the earliest years. I gave many examples in that speech of the amazing work that the Scottish Government is doing to raise literacy standards for our youngest children from the very earliest days. I am sad that Cara Hilton is not in the chamber to

be reminded of the facts and figures that I gave, because this Government is working hard.

During that debate, I also noted the importance not just of working with our youngest children from the earliest days through all their years at school but of putting the child at the heart of the work that we are doing. We have to work with the child's parents, their family and their carers to ensure that our literacy standards are improved and our attainment gap is closed.

I want to build on that speech. It is appropriate that the title for this debate is "Building on Scotland's educational success", because we have had successes. Stewart Maxwell gave us the facts and figures for those successes. He also said—which I accept and our Government accepts, all the way to our First Minister—that, despite those successes and despite trying to break the logjam of generations of the attainment gap, we know that we are not finished. It is our ambition and our vision to ensure that this is the generation where, finally, the gap ceases to exist.

There are many literacies that we have to tackle in our lives, and reading is at the heart of them all. Health literacy, digital literacy, economic literacy, social literacy and emotional literacy are all important—they all come together in ensuring that we are the best person that we can be.

Today, I will talk about how lifelong learning supports our adults to help our youngest children. Lifelong learning is about the fact that human beings never stop learning as individuals, and when we are learning for ourselves we also contribute to the learning of others. I refer to the many Scottish Government initiatives in which the child is at the heart of what we are trying to do but which also address the family, carers and supporters around them.

Neil Findlay: I am aghast that the member is talking about lifelong learning. Has she heard from Scotland's Learning Partnership about the savage budget cuts that are being made in lifelong learning and in community education, where much lifelong learning takes place? She is not living in the real world.

Fiona McLeod: Over the four years that we have been MSPs together, Mr Findlay will have learned that I like my evidence. The Scottish Government recognises how important adult and community learning is, so in 2012 we got the literacy action plan and in 2014 we got the statement of ambition for adult learning. In my speech at the beginning of the month, I quoted extensively from the standing literacy commission's report of 2015. When it comes to community learning, I remind members that in Education Scotland's inspections of more than 192 community learning sites, more than 80 per cent

were classified as “good” or better. We are working for lifelong learning from the earliest days all through people’s lives because the Government believes that we will ensure that the current generation finally breaks the pattern of neglect of education and the gap in attainment that Mr Findlay’s Labour Party has presided over for 50 years.

I return to my theme of the child being at the heart of policy but with the family and supporters around them being addressed. Much of the evidence for what the Scottish Government is doing in that area is borne out by research carried out by the national research and development centre for adult literacy and numeracy. That research shows how focusing on the child within the family can be part of how we address the problem that we have of 20 per cent of our families and individuals having poor literacy.

I urge members to go to Dundee and look at the Education Scotland-funded learn with Fred project, which is under way at the moment. I refer again to the importance of evidence and information. At the beginning of that project, 44 per cent of the adults involved said that they shared a book with the children in their care a few times a week. By the end of their involvement with the project, 88 per cent of them were sharing books with the children in their care not a few times a week but more than once a day. If parents’ literacy is developed, they will have the confidence to help their children.

By using the evidence from the many initiatives and projects that the Scottish Government funds and supports, and by working with local authorities and the third sector but, most important, in partnerships within the family group, we can ensure that educational attainment flourishes among people of all ages. I say to Mr Henry that there is no poverty of ambition in this Government.

I have found the debate quite bad tempered and illogical. On the national improvement framework, the cabinet secretary said that we need evidence so that we can evaluate whether the £100 million investment in the attainment fund allows us to meet the attainment challenge. I listened to Iain Gray’s speech and wrote down some of it. He said that more consistent data is needed and then attacked the First Minister and the cabinet secretary for introducing the national improvement framework. He said that the SNP is adopting Labour Party policy in seeking more consistent data to ensure that we are doing the right thing but went on to say that the Government has a “cack-handed” attitude to closing the attainment gap. I find that utterly offensive. If anybody in the chamber is cack-handed, it is Opposition members with their completely illogical attacks on the work that the Government is doing now and will continue to do.

15:25

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): Feasgar math, Presiding Officer. I hope that one member of the front-bench team recognises that I said, “Good afternoon.” “Math” is a very important word in not only English but Gaelic, in which it means “good”. I am delighted that the cabinet secretary said right at the start of her speech that there needs to be greater public enthusiasm for maths. I see that my Gaelic pronunciation has clearly amused the Minister for Learning, Science and Scotland’s Languages—entirely justifiably, I am sure.

Both the Conservative amendment and the Liberal Democrat amendment seek to delete all reference to maths from the Government’s motion. Mary Scanlon emphasised the importance of maths, but her amendment would delete all reference to it, replacing it with numeracy. Numeracy is important, but it is in the motion in the first place. Perhaps that tells us that Conservatives and Liberal Democrats simply do not count in this debate. However, they are far from being the worst of legislators when it comes to their ability to deal with maths.

I draw members’ attention to the Indiana pi bill—Indiana House Bill 246—of 1897, which sought to define in law a value for pi. It sought to define that value to be 3.2 rather than the 3.1416 et cetera—it is a transcendental number and cannot be defined in the real number system—that we all know it to be. That bill was passed on 6 February 1897. Fortunately, the Indiana Senate had another look at it after it went to the temperance committee. That might tell us something about the mood of the representatives who passed the bill in the first place. If we get things wrong here, there is always the comfort that others get it even more wrong elsewhere when it comes to maths.

The making maths count initiative is a very important one. As the cabinet secretary said in her press release on 3 September,

“Maths has a vital place at the heart of our curriculum”.

When I was a school student, our deputy head was Doc Inglis, a Lancastrian and a mathematician. His duty was to impart enthusiasm for maths among his pupils, so the first thing that he used to do with each class—my class was one of those with which he did this—was send it round the school to search for infinity. We looked in the dustbins, we took the blackboards down and we even went out to the sports field to contemplate infinity. The point is that, 55 years on, that is still imprinted in my memory. In the sixth year, he brought his tax return to the class and did that with us—either to tell us how little he got paid for trying to impart mathematical principles and practices to us, or to show us that there was some modest

value in being able to add up numbers and minimise the tax that we pay.

Perhaps we most admired Doc Inglis as an inspirational teacher for his celebration of our headteacher's appointment. He had gone for the job and not got it, and on the anniversary of the headteacher's appointment, he would always come in wearing a black tie.

The motion talks about mathematics and numeracy. A great deal can be said on that subject. Much of what can be said to enthuse our schools students can be found in quite unlikely places. In particular, I commend "The Simpsons", which is written by a team of writers of whom most are mathematicians. Almost every episode of "The Simpsons" has within it a mathematical conundrum.

For example, one episode made a sideways reference to Fermat's last theorem just after it had been solved: four numbers expressed to the power of 12 on a blackboard in one of the scenes. Of course calculators show that Fermat's theorem has been solved, but the reality—the trick—is that there is a digit about 17 points across to the right that shows that it has not actually been solved. It might be useful for us to contemplate encouraging teachers to introduce things such as watching "The Simpsons" as part of teaching mathematics in the classroom. If we make mathematics relevant to real life, we make mathematics a matter of enthusiasm for our kids.

Mathematics takes part in literature as well. Fiona McLeod has just spoken about literacy, and Dante's "Inferno" refers to hell; one of the keepers of the gates of hell is Belphegor, who has his own special prime number. It was named after him and is 100000000000006660000000000001—31 digits in total.

The Deputy Presiding Officer: Mr Stevenson, whenever you wish to return to the motion, feel free.

Stewart Stevenson: It is symmetric, and we can see other interesting things when we add up the digits.

There is also mathematics in religion. For example, Hindus are guided by the Vedic texts, which discuss what Hindus believe are the five types of infinity—the infinity of point, of line, of area, of volume and, of course, of time—and introduce the concepts of 1 and 0.

There are many places in our culture and in our lives where mathematics can be used to make maths relevant to people, which is the important thing.

The Deputy Presiding Officer: Can you draw to a close, please?

Stewart Stevenson: Perhaps the great internet Mersenne prime study is the best of all. The largest Mersenne prime is, of course, $2^{57,885,161}-1$. That is a really fascinating number to be getting on with.

15:32

John Pentland (Motherwell and Wishaw)

(Lab): I begin by thanking the First Minister for agreeing that the people of Scotland should judge the Scottish Government on its record, and in particular its education record, although presumably she will be hoping that people consider only the nationalists' version. We have already been reminded of some of the facts that show that, over the past eight and a half years, the Scottish Government's report card would have read "failed" on teachers. In 2007, there were 52,446 teachers; in 2014, there were just 48,442. I have no doubt that even Stewart Stevenson will know that that means that over 4,000 teachers have gone—so, not very good.

The average primary class size in 2007 was 22.8 for P1 to P3 and for primary as a whole; in 2014, it was 23.3 for both, and the percentage of P1 to P3 classes with over 25 pupils rose from 25.8 to 26.7 per cent. As Iain Gray said, whatever happened to that manifesto pledge to reduce class sizes to 18? The school building programme was also heavily delayed, with several years passing before a brick was laid that had not been part of the Labour programme. Those who were students will remember and may never forget the abandoned promises to replace student loans with means-tested grants, or that whopper about paying off the debts of Scottish graduates.

Of course, we should not dwell in the past. Not all educational problems can be shrugged off as being due to the management team now consigned to the back benches or—more likely—blamed on the UK or even past Labour Administrations. Amazingly, such excuses are accepted, as noted yesterday by Kevin McKenna:

"You know a party has attained a state of political nirvana when many people believe what it says is true merely because they have said it."

That was in *The National*, so it must be true.

Fortunately, we still have sceptics in our schools. Many primary teachers, for example, are rightly sceptical about the SNP plan to reintroduce national testing. Secondary schools are struggling to cope with the very messy introduction of the curriculum for excellence, as seen in the lack of advanced higher courses this year, and universities have reservations about the plans for higher education. If colleges are relatively quiet, it is probably because the people who are most affected by Scottish Government policy are no

longer there: the staff who have been laid off and the people who are unable to take the courses that have been cut, with 140,000 fewer college students than in 2007.

The SNP has ignored the importance of colleges in tackling inequality in education and employment. It trumpets its determination to tackle the attainment gap, but that determination has not been very evident to date. The SNP is more concerned with universal measures that benefit the better off than with measures that target those who need help. We know that, in 2014, more than 6,000 pupils left primary school with a poor standard of reading.

Dr Allan: The member raises the important subjects of colleges and the support that we give to our students. Does he recognise that the £104 million of support to college students this year is a record, for a good reason?

John Pentland: I recognise that number, but does he also recognise that the Government has cut college places by 140,000?

Pupils from the richest fifth of households have double the chances that the poorest fifth have of getting one or more highers and going on to higher education. The SNP has belatedly decided that it must do more but, in its own version of poverty denial, it seems unable to accept that it should have done more over the past eight years. The attainment gap has not suddenly been sprung on the SNP. Dealing with it has been sidelined by the party's constitutional obsessions.

Money to tackle such problems is, of course, welcome, but it is not just about the money. It is also about what we do with it. It is about understanding that the problems are part of a wider problem of inequality and tackling that. It is about having a coherent strategy to tackle the attainment gap and factoring that into decision making on education rather than introducing it as an afterthought. We also need to ensure that the other issues are addressed in the same way, such as the need to get more students, especially girls, to take STEM courses, and the need for more staff to teach them. We need not just more teachers but the right sort of teachers to address our education needs. However, the long-term planning that that requires has not been in evidence in recent years. The current shortages are incontrovertible proof of that.

I say to Angela Constance that the Scottish Government is now beyond its original four-year period of office and is living on borrowed time. I hope that things are getting better, but I ask her not to deny that there is still a lot of room for improvement. If she does not accept that her party has made mistakes, she cannot begin to address them.

15:38

Sandra White (Glasgow Kelvin) (SNP): John Pentland and other speakers from the other parties started their speeches by saying that the SNP Government is crying from the rooftops about how wonderful we are. John Pentland said that if we do not accept that we have more to do, we should look at ourselves again. I would like them to look at and read the Government's motion. It

"notes, however, that the Scottish Government needs to do more to raise standards for all children, securing its twin aims of equity and excellence".

I ask them to think about that. We do admit other things, but I think that we have done a good job so far.

I will give members not a history lesson, but a wee bit of my background. I was very fortunate to get the opportunity to go back to college on an access course as a mature student. I see people who come into my office—as I am sure that other MSPs do; I will not name a constituent—and I saw a young chap who had had a raw deal and a really hard time earlier in his life. I had great help from the Student Awards Agency for Scotland and others to ensure that he got on the course that he wanted at the University of Glasgow and got funding as well. I was overwhelmed, as he and others were, that he managed to do that. I cannot thank enough everyone who helped me to be able to go on, through an access course, to further education at Glasgow College, which is now Glasgow Caledonian University—and to think that, all these years later, I could help that young man, as others have, too.

That was a good thing to be able to do, so I do not understand why there is constant carping. We admitted in the motion that the Scottish Government needs to do more and we have been pretty honest about that, but I want to blow a trumpet, not from my perspective nor even from the Scottish Government's perspective. George Adam touched on a number of things, but he also mentioned that Scotland has the best-educated population in Europe. Those are not my words nor those of the Scottish Government; they are the words of the Office for National Statistics. Scotland's population is better educated than the populations of Ireland, Luxembourg and Finland. Let us be realistic. Is that not something to be proud of? Should we not be proud of the fact that we have done that, instead of constantly saying that we have not done very well at all? What does that do or say to the pupils and students in our schools? What does it do to the teachers in our schools if we constantly say that we are not good? We have the figures. They are not from us—from me or the Government—they are from the ONS, which says that Scotland has the best-educated population in Europe.

I will not mention other things that George Adam said, but there is another wee point. Scotland has four universities in the top 200, which is more than any other country per head of population, apart from Switzerland. Is that not a good news story? I am not saying that because it is a good news story, but because that is the absolute truth. We should be proud of the fact that we have fantastic universities, fantastic further education and fantastic colleges. We should not constantly ridicule the people who attend those universities and colleges and the people who lecture and teach in them.

On Sunday, I attended the Scottish Trades Union Congress women's weekend school, which was very good. There were lots of good questions in a question-and-answer session. One question, which I was happy to answer, was about school assessments. I said that we would have this debate and that I would ask the cabinet secretary about the issues that were raised. I thank her very much for her clear and concise contribution on the assessments, which made it very clear—we have to get this out loud and clear—that it is not about testing; it is about attainment and ensuring that, no matter what a person's background is, they can look at improving their literacy, numeracy, health and wellbeing. That is what it is all about. I thank the cabinet secretary for her clarity on that particular aspect.

I think that Mary Scanlon mentioned that it is about giving young kids in primary schools the best start in life that they can have. What is the matter with that? Surely we all want to give our kids the best start in life.

Thirty local authorities already do assessments in primary schools, so I cannot get over why that is so bad. That is not testing. As I said, I thank the cabinet secretary for her clarity.

Liam McArthur: What Sandra White says very much echoes what the cabinet secretary said earlier in relation to standardised testing. I hear what the aspiration is, but as the EIS has pointed out, when the evidence and information is available on a school-by-school basis, it is difficult to see what safeguards are in place to stop that becoming league tables. That will come to fruition.

Sandra White: That is my point. It is not about testing; it is not about league tables. It is about giving kids the best chance in life, no matter where they are. I do not see how anyone can argue against that.

In the first week or 10 days after the announcement on assessments was made, Larry Flanagan said that they were a good thing. Then, all of a sudden, he changed his mind. I have not spoken to Larry Flanagan about why that was, but I will certainly ask about that when I next see him.

15:45

John Mason (Glasgow Shettleston) (SNP): When we debate education in this place, it is important that we try to get a proper balance in a number of ways. On the one hand, there is much to be proud about in Scottish education, both in the past and in the present; on the other hand, there has been and there is room for improvement. The motion strikes that balance very well. It celebrates what we are doing well and it also states:

“the Scottish Government needs to do more to raise standards”.

We have to accept a balance between local and central Government. Both clearly have a role in education, especially in school and pre-school education although, obviously, central Government has more responsibility for colleges and universities. It serves no great purpose if one side blames the other side.

We must accept that, at a time of severe pressure on budgets, all budgets will be cut. I know that there will be some exceptions, but if the Scottish budget is going to be cut then, broadly speaking, those cuts will be passed on across a range of sectors. As I have said in previous debates, we must remember that, if we want to spend more on one sector, we will have to think about spending less somewhere else.

I am very impressed with what I see when I go into schools in my constituency. I will mention one or two of them. Last Friday, I was at a special S6 day at Bannerman high school. Frank McAveety and Annabel Goldie were there, too, so it was a fun time. They were a very lively and able group of young people. The size of the S6 group was very large compared with what it used to be. The group was very engaged in current issues.

I will mention the Equal Opportunities Committee, of which I am a member. We are carrying out a study on race, ethnicity and employment. Education has very much become a factor of our inquiry, so we are touching on that as well. It has been especially interesting to see how black minority ethnic young folk are, in many cases, doing better than white Scottish young folk in education at a range of levels. However, when it comes to employment, that success is not feeding through and many BME folk who could potentially be good employees are not getting into the positions that they might have expected to. I accept that that is moving slightly away from purely educational matters, but there is definitely an education link. Indeed, it shows that counting educational qualifications is part but not all of the picture when we are looking at young people moving through life into employment and so on.

We are still left with a range of questions. It is good that we look at the national picture, but there is always a danger that doing that becomes too simplistic. We say that we want more graduates, but at what stage would we be producing too many? In an ideal world, would we want 100 per cent of young people going into higher education? Presumably not. There is also the question whether we are producing the right graduates in the right subjects.

Over the summer, I spoke to a college in my constituency about how many people wanted to go on to a particular course. The college made the point that it has a responsibility not to raise expectations or to take too many people into one course when it knows that, at the end of the day, only a certain number of jobs are in that field. Our colleges and our universities have a responsibility to train people for the jobs that we know are there.

Let me return to the BME angle on education for a moment. In July I took part in a panel on education in Glasgow, on behalf of the Equal Opportunities Committee, as part of African challenge Scotland week. I found it refreshing to see the enthusiasm for education on the part of many families from African and other BME backgrounds. I think that many of our headteachers would say how much their schools have benefited from the involvement of youngsters and families from different backgrounds.

During the panel event, which had an African audience, it was interesting to hear some of the questions that were asked, which sometimes showed a lack of understanding of how the Scottish education system works. I throw that point in because we must ensure that we explain to people how our system works and what its strengths are. For example, people asked why we never fail children, that is, why all children move on from primary 6 to primary 7. For us, that is normal, but in some countries children are held back until they have passed an exam.

I note what the Government's motion says about raising standards. However, the reality is that at a time of reduced budgets, even maintaining standards has to be an achievement. That was brought home to me yesterday when a constituent visited my office. The person has a link with the education system in a neighbouring council, and they told me that since the summer learning support teachers have been moved into ordinary class teaching. I will follow that up with the local authority, but the issue draws attention to the difficult choices that local authorities have to make when they have restricted budgets.

An issue that parents have brought up with me recently has been the presumption of mainstreaming for youngsters with additional needs such as autism. I completely accept that

some youngsters cope better in mainstream schools than their parents expect them to do. However, there is clearly a budget pressure in the area, and councils such as Glasgow City Council are tempted to save money by mainstreaming more children.

There is a danger that we focus too much on what can be measured. It is good that we look at the big picture on how many youngsters pass this exam or that exam, but the danger is that we then give less attention to young people on the fringes. In June, I attended the awards ceremony at Cardinal Winning secondary school in my constituency, which is a school for pupils with additional learning needs. The school does a tremendous job, and I found it moving to see the clear commitment of staff and parents. The school has just 160 pupils and a much higher staff-pupil ratio than most schools have. If we are too focussed on exam results or getting youngsters into higher education, my fear is that schools like Cardinal Winning will get left at the edges.

When we talk about the big picture, let us not forget to think about how we can help each individual, be they two years old, five years old or 17, to fulfil their potential, which will not always mean university but is about helping them do the best that they can.

15:53

Neil Findlay (Lothian) (Lab): I declare an interest: I was a teacher for nine years before I entered the Parliament, and I am still a member of the EIS teaching union. I pay tribute to the EIS for its new booklet, "Face up to Child Poverty", which it has given to every one of its members. The booklet gives practical advice about how to tackle in the classroom issues that are to do with poverty.

Teachers are doing excellent work to help children and learners to achieve fantastic things. Anyone who visits any of our schools will see that innovation is going on across a wide range of subjects. However, teachers understand better than anyone the challenge of tackling the inequality in educational attainment that we have been talking about, and many think that their achievements are in spite of, not because of, Government policy. They know that schools are understaffed and that there are 4,000 fewer teachers in classrooms and staff rooms than there were when the Scottish Government came to power.

Teachers see that classroom assistants and support staff, too, are disappearing from our schools. An Audit Scotland report took a snapshot of three years and reported that there were 22 per cent fewer business managers, 12 per cent fewer

lab assistants, 5 per cent fewer admin staff and 22 per cent fewer quality improvement officers.

I wonder whether there is any link between falling attainment and the fact that all those people have gone from our schools, because schools cannot function without those individuals. We need business managers to take all the stress and pressure off headteachers. We need lab assistants to set up the labs in the classrooms before teaching, the admin staff to do all the admin duties in a school and the quality improvement officers to keep driving up standards. If we take them out of the school, somebody else inevitably has to do that work.

All that is one of the tragedies because, in my experience, the support staff in our schools are often some of the staff who pupils trust the most. Pupils often build up trust and have a rapport with those skilled staff members, who help them to mature and cope with not only their learning but the social and emotional side of school. Therefore, cuts to teacher numbers and those vital support posts are a really backward step.

The reality is that teachers are under huge pressure. Instead of their workload being reduced, it is increasing. We all know teachers who are regularly in school until 8 or 9 o'clock at night and who go in during the school holidays or at weekends. Two or three friends of mine are janitors in schools and they talk regularly about teachers being in school all the time. They can barely get teachers out of the door at night. That is not a one-off; it happens time and again. The situation is not good for the teachers, their families or, ultimately, the pupils who they teach, and nor is it helpful in tackling the continuing inequality in attainment levels.

Local government is central to tackling that inequality. In the cabinet secretary's constituency, the council has had to cut £89 million during the Government's period in office. That has resulted in services being reduced across the board, including those in education. That council has no option. Councils in every area are left with no option. West Lothian Council needed 42 teachers to meet the demands that the Government set but it was funded for seven.

Angela Constance: If my memory serves me right, West Lothian Council will benefit to the tune of £2 million if it meets the teacher number commitment. Does Neil Findlay not think that that is more than enough for nine teachers?

Neil Findlay: Yes it is, but the first offer that the cabinet secretary made to the council was to fund seven teachers, and the council has to jump through hoops to adhere to the demands that the Government sets down centrally. That is not local democracy. The council should make those

decisions, but that is what the cabinet secretary imposed. She should be embarrassed about what is happening in her own back yard—she cannot even provide adequate funding for the schools in her constituency.

The difference in educational attainment goes far wider than simply what happens in our schools. The Government wheels out a stream of new initiatives, some of which are worthy, and gives the appearance of doing something about attainment when, in essence, it knows fine well that its record is not good.

Let us look at some of that record. Student debt levels are up and grants have been cut by 46 per cent. We have the lowest bursary levels in the UK for the poorest students. There are 140,000 fewer college places. Drop-out rates are the highest in the UK. There has been a 5 per cent cut in the schools budget over just three years. The Government is increasing spending by less than Osborne is. In schools, the attainment gap is growing and literacy levels are falling. Exam appeals for state school pupils are down by 77 per cent. Childcare is expensive and difficult to access.

Dr Allan: Will Neil Findlay give way?

Neil Findlay: No—I do not have time.

That is not a record that the cabinet secretary should use to pat herself on the back.

Although all that is important, educational and health inequality will be addressed only when we invest in all the other areas that impact on it: when we invest in social housing, deal with exorbitant rents, tackle fuel poverty, increase living standards and provide social work support, mental health services and pupil support to help pupils to learn. We cannot address those inequalities if we continue to rip the heart and budget out of local government, which is the front line in the fight against poverty and inequality.

15:59

Gordon MacDonald (Edinburgh Pentlands) (SNP): The Scottish Government has put closing the attainment gap at the heart of its education policy and has announced that it will fund the Scottish attainment challenge to the tune of £100 million over the next four years, in order to close the gap in attainment between children from low-income households and those from high-income households.

Last month, the First Minister visited my constituency and announced at Wester Hailes education centre that the Scottish attainment challenge funding would be extended to three primary schools in my constituency—Sighthill primary, Clovenstone primary and Canal View

primary. That will take the total number of schools that benefit from the fund to more than 300.

It was significant that the announcement was made at Wester Hailes education centre as, in 2009, that school had some of the worst exam results in Scotland, when just 1 per cent of fourth-year pupils passed five standard grades at credit level. That dramatically changed in 2012, when the figure rose to 21 per cent. Wester Hailes education centre put its improved outcomes down to a system of teacher mentoring to address attainment and behaviour, with each teacher supporting about 15 young people for 25 minutes every morning by encouraging the pupils, checking their homework, looking at agreed targets in different subjects and closely monitoring their records of attendance and behaviour.

In this autumn's edition of *Teaching Scotland* magazine, Dr Edward Sosu of the University of Strathclyde's school of education identified another key approach. He said:

"I found that the majority of Scottish parents from low income households aspire for their children to attain a university degree. This evidence that most parents have high educational aspirations explains why approaches that effectively engage parents are successful in closing the attainment gap".

To replicate such success in other schools, we need teachers with the time to commit to assisting pupils and structures that enable them to engage with parents.

The Labour amendment highlights that there are 4,000 fewer teachers than there were in 2007 but does not mention the drop in the number of pupils or the fact that the Scottish Government does not employ any of the teachers in our schools. In analysing the drop in teacher numbers, it is interesting to note that Glasgow City Council had the largest drop in numbers of any local authority. Between 2007 and 2014, Labour-controlled Glasgow City Council employed 567 fewer teachers—around 10 per cent of its total teacher workforce and 14 per cent of the total reduction in teachers that is mentioned in the amendment. However, proportionately, Glasgow was not the worst. Labour-controlled Inverclyde Council has 17 per cent fewer teachers than it did in 2007.

However, the real culprit is the Conservative Government, whose austerity measures are decimating public sector budgets across the UK. In its report "Closing the attainment gap in Scottish education", the Joseph Rowntree Foundation highlighted the link between poverty and attainment. It identified that

"lower attainment in literacy and numeracy is linked to deprivation throughout primary school"

and that

"parental socio-economic background has more influence than the school attended".

The Scottish Government recognises that link, which is why it retained the education maintenance allowance when it was abolished in England. That benefits 35,000 school pupils and college students every year and, from January, an additional 22,000 16 to 19-year-olds will be eligible for the weekly grant. Families have also been supported as social security cuts hit our communities, with the Scottish welfare fund helping 270,000 people across Scotland, including 15,000 in Edinburgh.

However, the answer is not just about supporting people; we need to get young people into work instead of having generations of the same family unemployed. Recently published figures highlight success in that area, with the number of young people aged 16 to 19 who are not in employment, education or training at an all-time low. The official NEET figure is at 16,270, which is down from the previous year's figure of 19,970 and is also down from the 2003 total of 27,790, with nearly all 32 local authorities seeing a drop in their areas. The youth employment rate is at a record high and the number of modern apprenticeships has increased by almost 60 per cent since 2007.

Much of the achievement of getting young people into positive destinations is down to schools, teachers and pupils. The introduction of the curriculum for excellence has been a major step forward. It gives teachers more flexibility, provides a broader education for young people and sets higher standards for achievement than ever before.

Despite the media headlines, this has been another successful year for Scotland's young people. There has been a record number of higher and advanced higher passes. Students throughout Scotland achieved a record 156,000 higher passes this year—that is up 5.5 per cent on 2014. Advanced higher passes have increased by 4 per cent to a record level of 18,899 and awards of qualifications that recognise life and work skills, such as national certificates and national progression awards, are up a massive 23 per cent.

Figures that the Universities and Colleges Admissions Service published on 4 August show a 3 per cent increase in the number of Scots who are securing a place at university compared with last year and show that, under the SNP, 18-year-olds from the most disadvantaged areas are more likely to be accepted to university than they were in 2007.

There is more to do and there are budgetary challenges. However, if educational outcomes and positive destinations are the measures of success,

Scottish education has continued to improve and deliver for Scotland's young people.

16:06

James Kelly (Rutherglen) (Lab): Like many other members who have taken part in the debate, I am ambitious to see a successful education sector in Scotland. I enjoy going to prize-giving evenings at schools in my constituency—in Rutherglen, Cambuslang and Blantyre—where I see the success of those schools and the commitment of the teachers, the classroom assistants and all the staff throughout the years. Those evenings are a manifestation of that success. In my family, too, I see how that commitment has led to success. We can all agree that we want strong schools and expertly qualified staff and that we want pupils to leave school able to fulfil their dreams and contribute to an ambitious Scotland.

However, we need to be honest about the debate. Various speeches from SNP members have sought to gloss over issues in our education system. The reality—it is underlined by the Audit Scotland report—is that less money is being spent on schools. When we spend less money, that has consequences.

Jim Eadie (Edinburgh Southern) (SNP): I would never seek to gloss over any of the issues, but does Mr Kelly accept that the City of Edinburgh Council has to pay out just short of £40 million a year in charges to service private finance initiative contracts, which is a barrier to the investment in education that all of us wish to see?

James Kelly: On building projects, perhaps the Scottish Government should look at the Scottish Futures Trust's pipeline. Just last week, in finance questions, a number of members raised concerns about projects that had been delayed. The latest figures show that eight education projects have been delayed. Perhaps the Scottish Government should pay more attention to speeding up the projects for which it has responsibility. That would ensure that our pupils have buildings that are fit for the 21st century.

Aileen Campbell: To follow up Jim Eadie's point, James Kelly will have a constituency interest in the fact that there is an equally big bill in relation to secondary schools in South Lanarkshire, which is an impediment to investing further in education.

James Kelly: South Lanarkshire Council has an excellent school building programme, with £812 million invested in primary schools and £312 million invested in secondary schools. The council had the foresight to promote that investment, a lot of which was funded from its own budget. The Audit Scotland report underlined that. The council

recognised within the budget the importance of education and of school building.

The reality is that, if the Government cuts education spending—as it has done—there will be a consequence. We see that in reduced teacher numbers and in the literacy figures that many have quoted—6,000 pupils left primary school without an adequate level of literacy.

Literacy is very important to a person's development. The number of books that they can read and words that they can accumulate help them to communicate not only in writing but orally—an ability that has become more and more important in the workplace.

The Government needs to look at the deficiency and shortfall in STEM subjects. Mary Scanlon and Angela Constance had an exchange about that. When Mary Scanlon quoted drops of greater than 10 per cent in IT and engineering places, the cabinet secretary countered by saying that the figure had gone up since 2007 and sat down quite satisfied with herself. I do not think that the cabinet secretary realised what she was saying. If we accept that both sets of figures are correct, then even if the figures might have gone up initially since 2007, they have gone down in the past year. Given that we need 150,000 additional engineers by 2020, we have a problem that we and the Government are not addressing.

A lot of SNP members have spoken about budget constraints. If we really are ambitious for Scotland, our schoolchildren and our college students, the issue is how to expand that budget and move it forward. One way of doing that is to raise the top rate of tax when we get the power to do so, which will come to the Parliament shortly. The Government should take on that issue, on which there has been silence from the Government benches. If we want to be ambitious and move on, and if we want to address the attainment gap and literacy levels, let us tax those who are better off, who are better able to take tax rises on their shoulders. In that way we can make an investment that will make a practical difference.

To sum up, we need more honesty in the debate on education. SNP members are right to laud their successes, but we should acknowledge some of the issues that are at play in the education sector. The Government should also acknowledge some of its responsibilities concerning the budget choices that it has made and look at how it can expand the education budget.

16:13

Colin Beattie (Midlothian North and Musselburgh) (SNP): In these times of Westminster-imposed austerity, the financial challenges that Scotland has faced over the past

few years are clear: food bank usage is at record levels, and an additional 100,000 children are expected to be living in poverty by 2020. That is even before we consider the impact of the next round of cuts, which are due in 2017 and 2018. Such levels of poverty will do nothing but exacerbate the attainment gap, and yet even in this negative climate, the Scottish Government has taken positive steps to place education at the very heart of the programme for Government.

When we compare education before 2007 with education in 2015, the progress that has been made is clear. For example, most education experts would agree that a child's education is vastly improved when class sizes are smaller. In 2006, more than 15,000 primary 1 children were in classes of more than 25 pupils. That figure is now down to 500, and work continues to reduce it even further.

We have increased the annual funded entitlement of early learning and childcare to 600 hours, which is a rise of 45 per cent since 2007 in hours for three and four-year-olds. The entitlement helps about 120,000 children and saves families up to £707 per child per year—savings that hard-pressed parents sorely need, I am sure. The entitlement is being rolled out to the most disadvantaged two-year-olds and will reach about a quarter of all children in that age group over the next year.

Universal provision of free school meals for P1 to P3 has proved to be popular with parents, with more than a quarter of a million pupils now registered. Providing free school meals has a wide range of benefits for all children. First, it takes away the stigma of free school meals and can potentially reduce bullying. Secondly, it provides a positive impact on nutrition and health. Thirdly, it saves families of every eligible child at least £380 a year.

The 2010 evaluation of the English free school meals pilot found that the increase in attainment was strongest among pupils from less-affluent families and among those with lower prior attainment. The benefits of free school meals are clearly recognised, even outwith the Scottish perspective.

We are setting out new initiatives to enhance primary education. Launched just last month, the read, write, count literacy and numeracy campaign will encourage parents and families to include reading, writing and counting in their everyday activities. All children in P1 to P3 will receive a gift of books and literacy and numeracy materials to help with that. As something of a voracious reader, I strongly welcome the campaign; I am not alone. Sophie Moxon, the deputy director of the Scottish Book Trust, recently said:

“Gifting a pack of high quality books and literacy and numeracy resources directly into the hands of every pupil in P1-3, coupled with strong community outreach, will make a fundamental contribution to the lives and prospects of all children in Scotland, especially those in our most disadvantaged communities.”

There has been some discussion of the introduction of standardised testing for primary school children. We need to be clear that such testing will not be a return to the national testing that was used previously, nor will it be used for the purposes of developing league tables. The assessments will allow us to introduce greater consistency to the curriculum for excellence, to increase support for teachers, to provide reliable evidence of a child's progress and—crucially—to drive further improvements in our education system in order to ensure that we are getting it right for every child.

Of course, we must ensure that we support our young people through all stages of their education. The making maths count programme, which was announced earlier this month, aims to improve maths and numeracy attainment in primary and secondary schools. A new group with a focus on preparing and sharing maths resources will be established to give greater support to secondary school maths teachers, and an extra £1 million will be invested over three years to extend the roll-out of numeracy hubs.

The past year has been another successful one at secondary level, which clearly reflects the tremendous efforts of Scotland's pupils and teachers. Across the country, students achieved 156,000 higher passes, which is not only a record, but is an increase of 5.5 per cent on 2014's figure. Advanced higher passes increased in the same period by 4.4 per cent, to a record level of 18,899.

The Scottish Government is strongly committed to college education; last week I was delighted to lodge a motion highlighting the conclusions of a report by Economic Modelling Specialists International. The report found, among other things, that society will receive £6.30 in benefits in return for every £1 that is invested in Scotland's colleges. The average annual return on investment is 16.4 per cent. Taxpayers see an average annual return of 15.6 per cent on their investment in the sector. The corresponding benefit to cost ratio is a return of £5.70 in benefits for every £1 in costs.

Edinburgh College, which has a campus in my constituency, is working with employers to create academies such as the East Lothian hospitality and tourism academy. The aims are to create career opportunities for young people who are in the senior phase of curriculum for excellence. The model has proved to be so successful that it has been expanded to become the south-east Scotland academies partnership, which involves

four academies, with a fifth due to be added next year.

We recognise the importance of universities in an educational context. We have four universities in the world's top 200, which per head of population is more than any country, with the exception of Switzerland. Two of our universities are ranked in the top 100. Earlier this month, I had the opportunity to visit Queen Margaret University to see the exciting plans that it has submitted for a commercial and innovation hub in Musselburgh. The hub will no doubt provide educational and economic benefits for the local area. I look forward to watching its progress.

Education is one of the most challenging aspects of government; that is especially so in the current period of austerity. Without a doubt, education is one of the key routes out of poverty and the Scottish Government must do what it can with the powers at its disposal to ensure that all children have the same opportunities throughout their education. My thanks go to all those whose efforts have contributed to the impressive statistics that I have had the opportunity to quote today.

The Deputy Presiding Officer (Elaine Smith):

I note that a couple of members who contributed to the debate are missing from the chamber. I hope that they return soon.

16:20

Liam McArthur: The debate has been interesting and has—I think—achieved an historic first. I listened with interest, first as Hugh Henry invited George Adam to comment on something specific to Paisley—in that instance, the number of teachers—and secondly as Iain Gray invited Mr Adam to comment on how he would use powers that he does not yet have, referring in that case to the 50p tax rate. In both instances, Mr Adam seemed to be uncharacteristically shy about responding to the invitations, although he bemoaned the bandying about of statistics, which was perhaps inevitable, although there was certainly truth on both sides.

When Nicola Sturgeon took over as First Minister last year, she seemed to be intent on drawing a line under what had happened in the past with regard to education. There was an acceptance of previous mistakes and a belief that things need to be done differently, and an acknowledgement that for all the talk about being ambitious for Scotland's children and young people, the eye had perhaps been taken off the ball. Why else, indeed, would the Government set up an attainment fund after having been in office for eight years? I recall that even the education secretary herself gave some less-than-convincing defences of her predecessor's track record.

However, the minister now criticises the Opposition for focusing on the things that need to change. Sandra White even seemed to suggest that we were talking down staff, teachers and pupils and their achievements. That is utter nonsense—Opposition parties should be holding the Government to account on what it has done and what it plans to do, not on what it says it has done. I think that John Mason—whose contribution was reasonably argued—would accept that more SNP back benchers should be doing the same.

I whole-heartedly agree with much of what Sandra White said about the great strengths of our education system. We have excellent teachers, lecturers, researchers and staff; we have fantastic schools and colleges, and world-class universities; and we have pupils and students who regularly excel. We all agree, however, that we are not doing enough for those who do not excel, and whose chances seem to be too often preordained by circumstances beyond their control.

Not doing enough does not mean doing nothing, although I have to say that when the cabinet secretary said, "We won't overpromise and underdeliver", I could not help but think of the First Minister's commitment to closing the attainment gap completely.

The read, write, count initiative—to which Colin Beattie referred—is excellent, and it supports initiatives such as read on, get on that are making a difference in improving literacy rates. I also whole-heartedly support the making maths count initiative. Stewart Stevenson, however, seems to be more concerned about the sins of omission in the Opposition amendment than about those in the Government's motion, which makes no reference to literacy at all.

The early years collaborative is an excellent initiative that extends early learning and childcare. The Government could have gone further, as provision still falls short of what is available to most disadvantaged two-year-olds in England, but nevertheless it represents progress. It also underscores the need for a targeted approach, and I welcome the fact that the Government is prepared to accept that.

That can be contrasted with the attainment fund which, although it is welcome, is still area based—albeit with 50 or so primary schools added on top. The fund ignores the needs of children who are living in poverty in other parts of the country. There can be few—if any—schools in any part of the country that do not have at least one child who is living in poverty.

Aileen Campbell: I am grateful to Liam McArthur for mentioning some of the positives in the Government's very successful—in my view—record. How much input did he have when his

party was in Government in the UK, given that it leaves a potential legacy of another approximately 100,000 children going into poverty as a result of the welfare cuts?

Liam McArthur: We should focus on the powers that we have in this Parliament and the progress that we have made. The SNP harks on about the welfare cuts, having set up a welfare commission that has come forward with proposals that seem to bear a striking resemblance to those that the UK Government has implemented.

As Iain Gray said, the attainment fund criteria seem to be changing by the day, which is giving the impression that ministers are making it up as they go along. Having moved away from a strict area-based approach, I hope that ministers will now go further in ensuring that all children who need help, wherever they live, get the support that they deserve. I argue that the pupil premium provides such an opportunity and we encourage ministers to at least pilot it.

A rethink is also necessary on national standardised testing. The information will be available on a school-by-school basis: league tables and teaching to the test seem to be an inevitable consequence of that. Larry Flanagan's opinion of that has changed because he is not convinced that the safeguards that the Government has put in place are worth the paper that they are written on.

For all the talk about closing the attainment gap being an absolute priority, as many members have said in the debate, aspects of Government policy, such as cuts to college courses and staff, cut right against it. The reduction in student grants, which are to be replaced with loans, places more of the debt burden on students who come from poorer backgrounds. That is not in keeping with the Government's aspiration.

The motion invites us to join in congratulating the Scottish Government in other areas, where congratulation seems to be utterly bizarre. Primary 1 class sizes of 26 look a good deal less impressive when set against the SNP manifesto commitment to a P1 to P3 class size of 18. Stewart Maxwell referred to teacher numbers, but there are concerns about the way in which specific numbers are locked in for each council because that allows absolutely no flexibility. As we heard from council representatives earlier this month, job losses among other support staff are a consequence of that, and it replicates what is happening in the police service.

There is excellence in our education system, but as everybody has acknowledged in the debate so far, we still fail too many of those who come from poorer backgrounds. That failure does not rest solely on the shoulders of our schools and

colleges, and I welcome the Scottish Government's commitment to attach the highest priority to closing the attainment gap. In the past, on childcare for example, ministers have been persuaded to go further—if not necessarily as far as I wanted. On the attainment fund, the Government has shown willingness to change its approach, although—again—it does not go far enough.

I hope that the Government will heed the calls that have been made this afternoon so that we can build on success and extend that success to all children and young people in Scotland.

16:27

Liz Smith (Mid Scotland and Fife) (Con): Last month, when the First Minister put her neck on the line, as she described it, she spoke in numbers. She said that 500 new schools had been built since 2007, record numbers are passing at higher and advanced higher level, record numbers are staying on in S6 and record numbers are in meaningful school leaver destinations. Today, the Cabinet Secretary for Education and Lifelong Learning has repeated that in her motion, adding that more young people are entitled to the highest level of early learning and childcare, and that the number of P1 pupils in classes of 26 or more has fallen by 97 per cent.

In his contribution, Iain Gray asked whether that was all that the Scottish Government could come up with, and I will take up the theme of whether it is the numbers that matter. In the First Minister's exchanges at question time in March 2013 and December 2013, the First Minister and the then cabinet secretary said that we should be talking about the quality of delivery rather than talking in numbers. The cabinet secretary has hinted at that this afternoon.

James Kelly and Liam McArthur have been careful to say that some good things are happening in Scottish education, and of course that is true—there are. It is important that we take the time to congratulate those who are responsible. However, we on this side of the chamber contend that they are being hampered by the lack of policy commitments to changing the quality of delivery that is required to raise standards across the board.

Let us look at childcare and nursery provision. In quantitative terms, we have made excellent progress in seeing 412 hours of provision go up to 475 hours and the further progress through the Children and Young People (Scotland) Act 2014 that puts provision up to 600 hours. However, the fact remains that 50 per cent of eligible children in Scotland cannot receive their nursery entitlement because they were born in the wrong month, and

we have yet to receive a satisfactory explanation from the Scottish Government about why that discrimination is allowed.

Likewise, in February this year, the SNP made it clear that it would double spending on childcare from £439 million to £880 million. That is good, but can we have some information about how staffing and infrastructure will be adjusted to meet the demands so that we are delivering the quality that is being asked for in relation to young people across Scotland?

When it comes to schools, the SNP now has a welcome emphasis on literacy and numeracy and on closing the attainment gap, although I think that that has been forced upon it by the shocking statistics that tell us that one in six pupils still leaves school functionally illiterate, that Scotland is moving backwards when it comes to literacy and numeracy, and that 31 per cent of schools do not achieve at least a “good” award when it comes to inspections.

The Scottish Conservatives have warmly welcomed the U-turn made on testing, but that testing must be qualitative. It is not about more testing; it is about better testing. Parents want a meaningful and consistent insight into what progress has been made and how well their child's school is doing year on year—not necessarily compared with other schools but compared with its own previous performance.

On the curriculum for excellence, there is cause for concern too. Politicians representing all sides of the chamber heard the heartfelt feelings of a student at the recent University of St Andrews debating competition two weeks ago. He argued that in his school, because of the weak delivery of the curriculum for excellence, there was a lack of subject choice and a lack of the rigour required when it came to examination assessment. Only this morning, at the Education and Culture Committee, Dr Brown of the SQA was not clear in her answer about what went wrong in this year's new higher maths exam or about how the moderation of both the setting and marking of exams will continue to deliver the high standards that we all expect. I urge the SNP to be careful about trumpeting the number of higher passes and advanced higher passes; it is about the quality of that delivery.

On that theme, the curriculum for excellence identifies four objectives—to develop successful learners, confident individuals, successful contributors, and responsible citizens—which I assume were intended to be very much about the quality of the delivery of the curriculum.

When we talk about education, it is important that we relate the changes to those four outcomes because, if the experiences and the outcomes are

improving, we are perhaps making some progress. Perhaps we should be engaging with employers and community leaders about just how engaged our young people are in being civic minded, more tolerant, more outward looking in their perspectives and more culturally involved—as well as more economically engaged—because those are the real measures of the quality of education.

Finally, we come to further and higher education. Let me be clear about colleges: we know exactly what is happening to them despite their extraordinary collective efforts to provide a top-class education, greater accessibility and more support for people who are often furthest from the labour market. Those institutions have seen their funding cut in real terms; they have seen substantial cuts in college places; they have seen lecturer numbers decrease; and they have had to suffer real pressures on their reserves.

We know that the higher education sector is now facing exactly the same threat. I was very interested in what Sandra White was saying about our top-class universities. Yes, they are top class, so let us not interfere in how they are governed, because quite clearly they are doing a jolly good job and they do not need unnecessary interference from this Government, which thinks that it can control every aspect of higher and further education.

The quality of education is what matters most, and I think that everyone across Scotland agrees that there is still much to be achieved in that regard, particularly when we look back at the success that Scotland used to enjoy.

When resources are so tight, people wonder why on earth the SNP is handing out free school meals to children who come from middle-class families who can well afford to pay; why the SNP wants a universal named person system instead of ensuring that the money is spent on the most vulnerable; why there is a universal approach to Gaelic when it is essential to do much more to find Gaelic teachers and headteachers in the indigenous areas; and why there is meddling in university governance when there is no evidence that there is a problem with the current system.

It is time for the SNP to make sure that we are talking about quality not quantity and to alter its approach if it is to build on success in education and deliver on the right priorities.

16:34

Mark Griffin (Central Scotland) (Lab): I welcome the opportunity to debate and celebrate the contribution that students and professionals in education are making in Scotland today. George Adam was right to say that the debate should be not about celebrating our success and patting

ourselves on the back—which is what we see in the motion—but about the challenges and priorities that we see in Scottish education. Educational inequality must be the top priority.

Educational inequality is a symptom of a deeper problem of poverty, which we need to address; therefore, the focused nature of any programme is vital. In Cumbernauld, the variation in educational attainment is massive. In the council ward of Cumbernauld North, the child poverty level is 8 per cent, which is far too high. However, in Cumbernauld South, which is a two-minute walk away over the footbridge across the M80, the level of child poverty jumps to a staggering 23 per cent. I am sure that all members will be able to give similar examples from across the country. Hugh Henry pointed out the difference between Linwood and Houston, between which there is a short geographic distance but a massive difference in the levels of poverty and educational inequality.

I accept the point, which has been made today, that educational inequality comes from other issues such as pupils having English as a second language or pupils having additional support needs or speech and language therapy needs. Nevertheless, we must accept that the biggest difference that we could make would be in eradicating poverty, which would have the biggest impact on educational attainment. Child poverty impacts on the educational attainment of young people, which can prevent them from breaking out of the vicious cycle of poverty. Therefore, the measures that we agree to tackle the attainment gap must be focused on our most deprived communities.

As James Kelly said, Scottish Labour would use the additional revenues from a new 50p tax rate to redistribute money from those who can afford to pay it to those who need it most, investing additional resources over and above the Government's proposals in tackling educational disadvantage. We would double the number of teaching assistants in every primary school associated with the 20 secondary schools that are facing the greatest deprivation challenges. We would also introduce a new literacy programme for schools, and we would recruit and train literacy specialists.

Literacy is a key issue that has been raised by a lot of members in the debate, but it is missing from the motion. Our amendment seeks to add it, and I hope that the Government will support the amendment at decision time. We would recruit and train the literacy specialists to support pupils in the associated primary schools and in the first and second years of the 20 secondary schools that we have identified as facing the greatest challenges of deprivation. We would also offer support to parents to enable them to learn with their children,

and we would introduce a special literacy support programme for looked-after children.

The cabinet secretary spoke specifically about maths, but the debate rightly broadened out much further than that to cover all STEM subjects. One of the key points to be raised was that, by 2020, we will need 150,000 more engineers in Scotland. In addition, it is expected that, by 2030, over 7 million jobs in the UK will depend on science skills. Those science roles are exactly what we need—high-quality, highly skilled and highly paid jobs that will mean that other emerging economies will struggle to compete with our highly educated workforce.

By 2030, the four and five-year-olds who are starting primary school this summer will already be in work or in the final years of university. However, if we continue with the current spending levels, pupils in England who have the same academic ability and aptitude for science will have enjoyed over 10 years of state education with 80 per cent more spending on science equipment in primary school and 27 per cent more spending on science equipment in secondary school, according to a recently published report from the learned societies group on Scottish science education. The same report finds that 98 per cent of Scottish schools depend on external funding for science equipment, which has a bigger impact in deprived communities where parents struggle to contribute to their children's education out of their restricted household budgets.

Neil Findlay raised the issue of support staff and made particular mention of technicians and science support staff. He rightly said that there has been an overall drop in the number of science technicians; indeed, one authority has cut their number by more than 50 per cent. As Neil Findlay said, those are the staff who maintain and repair what practical science equipment schools have left. They are the ones who set up the equipment, the science labs and the complex experiments outwith teaching time, which the teaching staff just do not have the time to do. It is hard to see their numbers increasing as budget cuts continue to bite. The result will be that school pupils will get less and less of the practical experience of using science equipment that they need to get jobs in that field.

Another issue that schools and local authorities face, as we have heard, is a shortage of computer science teachers. The Education and Culture Committee has heard that some local authorities do not even identify whether schools have computer science teachers. Often, computer administration teachers, who are trained to teach word processing and spreadsheet skills, are reclassified as computer science teachers, even though coding and software development are the

key areas in which pupils need skills to be able to take up the high-paid jobs of the future.

As I have said, we would use the additional revenue from a new 50p top rate of tax to redistribute resources from those who can afford it to those who need it most. We would invest those additional resources over and above what the Government proposes to invest to tackle educational disadvantage to ensure that the pupils who face the greatest educational challenges have the opportunity to achieve the qualifications that they need in order to have a career in science, maths, engineering or technology.

There are other issues related to poverty and inequality that are impacting on educational attainment, such as the increase in the use of private tutors and the use of placing requests. There has been a 300 per cent increase in the use of private tutors in the past year alone. Wealthier families have the ability to give their child an extra boost compared with children in families who cannot afford private tuition. Such tuition can be used when a child is struggling in a particular subject or to help them in the run-up to exams. Although that in itself is not a bad thing, where is the support for pupils from poorer backgrounds in the run-up to exams or when they are struggling?

Another issue that is having a harsher effect on educational attainment in more deprived areas is the reduction in college places. Colin Beattie said that the Government was committed to Scotland's colleges. It is all very well to say that, but Joe Biden said—I am paraphrasing here—"Don't tell me what you're going to do; show me your budget." From the Government's action on Scotland's colleges, it is clear that it is not committed to our colleges, and that is having an impact on pupils from more disadvantaged areas. It is also affecting adult lifelong learning and people who want a second chance. Those who want to bridge the attainment gap later in life are being failed on all counts by the Government's action on college courses.

I ask members to support Iain Gray's amendment at decision time and to start to work together to address the issues that are identified in it.

16:44

Angela Constance: This afternoon's debate has been feisty in parts, but that is sometimes okay—we must accept and understand that we all get passionate about education. The mood was somewhat lightened by Stewart Stevenson, whose speech I greatly enjoyed. I thank him for making particular mention of the making maths count campaign.

Our evaluation of the past and our actions for the future will be informed by the evidence. We will engage in mature and sober reflection on what works and what does not. As well as looking at our successes, we will conduct an accurate assessment of the challenges that we continue to face and those areas in which we have not yet succeeded.

As a Government, we have always been open to learning from others, whether from home, elsewhere in these isles or abroad. In that respect, as Cara Hilton knows, Fife Council does good work in and around literacy—this is not the first time that I have paid tribute to the work that it does. Looking further afield, we have been informed by the work that has been done, to take only two examples, in New York and in Ontario. We have also looked at the London challenge and, indeed, the schools challenge Cymru programme. I, too, met the Welsh education secretary when he was last in Scotland learning about the strengths of our curriculum and of teaching Scotland's future. However, the reality is that Wales trails behind Scotland in terms of PISA and, of course, Wales had a critical report last year from the Organisation for Economic Co-operation and Development.

The evidence shows that the attainment gap is narrowing under this Government, although there is far more to do. I say to Hugh Henry that I am most certainly not one of those women who is ever happy in that regard, and anybody who has lived or worked with me can testify to that.

When we compare school leavers from the least and the most disadvantaged backgrounds who attain Scottish credit and qualifications framework level 5, we see that the gap has reduced. In 2007, the gap was over 42 per cent but it is now 26 per cent. That is still too high, but the movement is in the right direction. The least deprived are twice as likely to achieve at a higher level, but they were four times as likely to achieve at a higher level in 2007 and 2008. In addition, the figures on qualifications or school-leaver destinations for children with additional support needs, looked-after children and children with social, emotional and behavioural problems have improved. However, we concede—I would never demur from this—that, in fact, there is much more to be done.

The OECD recognises the importance of assessment as part of a modern and effective education system. Of course, we await the OECD's report on our broad, general education and the evidence that it will present to us. However, with the national improvement framework, of which standardised assessment is a part, we are trying to ensure that we have a deep, shared, research-based understanding among professionals and education authorities of how we

break the cycle of disadvantage and underachievement in order that resources and time are directed appropriately.

With standardised assessments we are not returning to the high-stakes national testing of the past, but are looking to the future, where teacher judgment will remain central and our commitment to the curriculum for excellence is absolute. Education is, indeed, about thinking outside the box and is most certainly not about ticking a box.

Liam McArthur: I do not doubt the cabinet secretary's sincerity on the issue; indeed, Sandra White made the same point—that the aspiration is to provide information that informs decision making—in her speech. However, when the information is available on a school-by-school basis, what will prevent people from taking that information and turning it into league tables, which might start informally but over time become more formal?

Angela Constance: Yes, there are concerns about the misuse of data and no, we do not want to return to crude league tables, because that is not in everyone's interest. However, the national improvement framework is a draft national improvement framework and we have given an undertaking to engage closely on it with all stakeholders, particularly with regard to how and what we publish and when we do that. I say to our colleagues in the EIS and to Mr McArthur that nothing is impossible—it might be hard, but nothing is impossible. For the sake of our children and their future, we should not let anything become impossible.

We need to know the gap in every school and every classroom before we can begin to close that gap. We have been talking about and trying to tackle inequality in our education system for 50 years and we have still not closed the attainment gap. However, that is about to change because, building on our strong foundations of the past eight years and on our successes, whether in the early years, curriculum for excellence, developing Scotland's young workforce, college reform or the £1 billion investment that we make in our higher education institutions, we have a strong platform to springboard to future success.

I remind colleagues that the Government was re-elected in 2011 based on our manifesto, which was to maintain teacher numbers in line with pupil numbers. Teacher numbers have been broadly stable since 2011. There was a small dip last year, and the Government took swift action and has sought to invest £51 million to maintain teacher numbers the length and breadth of Scotland.

It is important to note that nearly 60 per cent of primary school pupils are now in class sizes of 25 or below. Primary 1 classes with more than 25

pupils have almost been eradicated. I will listen with interest to the Opposition's proposals on what we should be doing with regard to the 20 primary 1 classes across Scotland—the number of pupils is less than 500, compared with 15,000 in 2007—with more than 25 pupils. I wonder what the Opposition proposes that we do with those 20 classes the length and breadth of Scotland, for which the reality is that there are building works or they are in some sort of transitional arrangement. It is unusual for the Opposition to take such a heavy-handed approach.

Iain Gray: In fact, I think that it is fairly straightforward. We passed a law on class sizes five years ago, and it should be enforced. The Government has had plenty of time to enforce it.

Angela Constance: That is a really interesting issue. I think that it goes to the heart of accountability in Scottish education. I look forward to Mr Gray's proposals on how that legislation is enforced with our colleagues in local government.

We are agreed on the power of the early years and of early learning and childcare. This Government has done more on that than any other north or south of the border, and I reiterate my earlier comment that it is not just about quantity of hours. It is also about quality. That is why we are moving forward with an ambitious programme, but one that is on a managed basis, to ensure that our youngest citizens continue to get the best quality of early learning and childcare.

I want to spend a moment on colleges. They are indeed delivering for poorer communities and they are key to widening access to higher education, building on the 50 per cent increase in 18-year-olds from the most disadvantaged areas who are going to university on this Government's watch. The shift to full-time courses that lead to recognised qualifications and enhanced employability has contributed to the figure for 16 to 19-year-olds not in education, employment or training—NEETs—being at its lowest level since records began.

The fact that we are focused—although not to the exclusion of part-time courses—on getting young people equipped with the skills that are required for the workplace has contributed to our having the highest level of youth employment in a decade, and female youth employment in Scotland is 10 percentage points higher than it is in the UK. I am proud of this Government's record. We trail blazed with the opportunities for all programme—a guarantee, which was unprecedented in these islands, to a place in education or training for all 16 to 19-year olds. I am very proud of that commitment and we stand by it.

Our colleges deliver 16 per cent of provision to the 10 per cent most deprived areas, and some 29

per cent of college students come from our 20 per cent most deprived areas. The numbers of women, young people and people over 25 who are studying on full-time courses have increased and, of course, despite austerity—I say this to Mr Griffin—the Government still spends more on colleges than Labour ever did. Labour spent £510 million; we spend £526 million.

The Government had the courage to reform public services despite austerity. Labour failed to reform public services and the college sector at a time of comparative plenty. There is the same old carping from the sidelines from speaker after speaker for the Labour Party. Labour has nothing new to offer in education, but it has, of course, the handy knack of calling for action that we have already announced. The Scottish attainment challenge and the national improvement framework are but two examples.

I want to be clear. I am proud of the Government's record when it comes to outcomes for young people, whether that is exam results, school-leaver destinations, the record low NEETs level, 526 schools rebuilt or refurbished compared with Labour's 328, or when we compare our offer to young people of free university tuition, a retained and, indeed, extended education maintenance allowance, record student support in the further education sector—it is up by 30 per cent in real terms—opportunities for all, modern apprenticeships, exceeding our minimum income guarantee to higher education students, and students with the lowest debt of any in the UK.

The Government's record is, of course, far superior to that of our predecessors in the previous Labour Scottish Executive. We are not setting the barometer for success that low, of course; we are aiming far higher. We are not looking to the past or to past Labour Governments; we are looking to the future.

Like our colleagues in local government and many families throughout this country, the Government is living with the reality of Westminster austerity, but nonetheless we will not let our ambitions for our children be constrained, whether by financial austerity or, indeed, by the constitutional settlement. Although we deal with austerity day in, day out, it is our job and purpose as the party of government to seek to overcome and remove barriers to education, tackle poverty, smash glass ceilings, find sustainable solutions to 21st century problems, and make dreams come true for the many children, not the few.

Scottish Parliament (Disqualification) Order 2015 [Draft]

The Presiding Officer (Tricia Marwick): The next item of business is consideration of motion S4M-14313, in the name of Joe FitzPatrick, on the draft Scottish Parliament (Disqualification) Order 2015.

16:57

The Minister for Parliamentary Business (Joe FitzPatrick): A debate on a draft Scottish Parliament (disqualification) order is an established item of business in advance of each Scottish parliamentary election. However, the draft order for which I seek approval today is the first such order following the changes that have been brought in by the Scotland Act 2012, which give the Scottish ministers competence for that task. Obviously, that is a welcome and sensible reform, and members will be aware that we anticipate the Parliament receiving full competence over all disqualification matters.

Section 15 of the Scotland Act 1998 sets out the circumstances in which a person is disqualified automatically from membership of the Parliament—for example, by virtue of being a judge, a civil servant or a member of the armed forces. In addition, section 15 provides an order-making power to disqualify specific office-holders from membership of the Parliament, thereby ensuring separation between the Parliament and the holders of various public offices to help to reinforce their independence from each other. The previous order that was made under that power took effect in advance of the 2011 elections. It is therefore appropriate in advance of the next election that we update the 2010 order.

The policy objective is to remove, update or add entries to reflect relevant appointments that have been abolished, renamed or created since the making of the 2010 order. The opportunity was also taken to update the Scottish order in respect of relevant office-holders in England, Wales and Northern Ireland. I put on record my thanks to Scotland Office officials who worked closely with my officials in co-ordinating input from across United Kingdom Government departments.

Following the laying of the draft order, I wrote, on 25 June, to the Presiding Officer, the chairman of the Electoral Commission and the leaders of the main political parties to draw their attention to the Government's laying of it and, in particular, to its effect and scope.

The criteria for disqualification are: offices of profit in the gift of the Crown or ministers; positions

of control in companies in receipt of Government grants and funds; offices imposing duties that would prevent their holders from fulfilling parliamentary duties satisfactorily; and offices whose holders are required to be, and to be seen to be, politically impartial.

I hope that colleagues will join me in approving the draft Scottish Parliament (Disqualification) Order 2015 with a view to bringing it into force well in advance of the election on 5 May next year.

I move,

That the Parliament agrees that the Scottish Parliament (Disqualification) Order 2015 [draft] be approved.

The Presiding Officer: The question on the motion will be put at decision time.

Parliamentary Bureau Motion

17:00

The Presiding Officer (Tricia Marwick): The next item of business is consideration of a Parliamentary Bureau motion. I ask Joe FitzPatrick to move motion S4M-14322, on the establishment of a committee.

Motion moved,

That the Parliament shall establish a committee of the Parliament as follows:

Name of Committee: Interests of Members of the Scottish Parliament (Amendment) Bill Committee.

Remit: To consider matters relating to the Interests of Members of the Scottish Parliament (Amendment) Bill.

Duration: Until the Bill is passed, falls or is withdrawn.

Number of members: 6.

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Scottish Labour Party.

Membership: Bill Kidd, James Dornan, Graeme Dey, Mary Fee, Mary Scanlon and Tavish Scott.—[*Joe FitzPatrick.*]

The Presiding Officer: The question on the motion will be put at decision time.

Decision Time

17:00

The Presiding Officer (Tricia Marwick): There are six questions to be put as a result of today's business.

The first question is, that amendment S4M-14311.2, in the name of Iain Gray, which seeks to amend motion S4M-14311, in the name of Angela Constance, on building on Scotland's educational success, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rowley, Alex (Cowdenbeath) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)

Against

Adam, George (Paisley) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Buchanan, Cameron (Lothian) (Con)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Carlaw, Jackson (West Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)

Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 33, Against 82, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: I remind members that, if the amendment in the name of Mary Scanlon is agreed to, the amendment in the name of Liam McArthur falls.

The next question is, that amendment S4M-14311.1, in the name of Mary Scanlon, which seeks to amend motion S4M-14311, in the name of Angela Constance, on building on Scotland's educational success, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)

Against

Adam, George (Paisley) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)

White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 46, Against 70, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S4M-14311.3, in the name of Liam McArthur, which seeks to amend motion S4M-14311, in the name of Angela Constance, on building on Scotland's educational success, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Hume, Jim (South Scotland) (LD)
 McArthur, Liam (Orkney Islands) (LD)
 McInnes, Alison (North East Scotland) (LD)

Against

Adam, George (Paisley) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Buchanan, Cameron (Lothian) (Con)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Carlaw, Jackson (West Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)

MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rowley, Alex (Cowdenbeath) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)

Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)

The Presiding Officer: The result of the division is: For 3, Against 81, Abstentions 32.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S4M-14311, in the name of Angela Constance, on building on Scotland's educational success, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hilton, Cara (Dunfermline) (Lab)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)

MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Rowley, Alex (Cowdenbeath) (Lab)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Against

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McInnes, Alison (North East Scotland) (LD)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

The Presiding Officer: The result of the division is: For 100, Against 16, Abstentions 0.

Motion agreed to,

That the Parliament welcomes Scotland's educational success since 2007; further welcomes that more children are entitled to the highest ever level of early learning and childcare, that the number of Primary 1 pupils in classes of 26 or more has fallen by 97%, that more young people get the qualifications that they need, that a record percentage leave for positive destinations and that more of the population is educated beyond school than in any other European country; notes, however, that the Scottish Government needs to do more to raise standards for all children, securing its twin aims of equity and excellence; acknowledges the investment in these aims through a range of initiatives focusing on closing the attainment gap, including the Scottish Attainment Challenge and the Attainment Scotland Fund; commends the Making Maths Count programme as a route to driving up attainment in maths and numeracy; recognises that it is important to gather the right evidence about children's progress to show that all that local authorities, schools, teachers, parents and children and young people themselves are doing to raise standards is working, and looks forward to the next steps in developing a national improvement framework to achieve this.

The Presiding Officer: The next question is, that motion S4M-14313, in the name of Joe FitzPatrick, on the draft Scottish Parliament (Disqualification) Order 2015, be agreed to.

Motion agreed to,

That the Parliament agrees that the Scottish Parliament (Disqualification) Order 2015 [draft] be approved.

The Presiding Officer: The next question is, that motion S4M-14322, in the name of Joe FitzPatrick, on the establishment of a committee, be agreed to.

Motion agreed to,

That the Parliament shall establish a committee of the Parliament as follows:

Name of Committee: Interests of Members of the Scottish Parliament (Amendment) Bill Committee.

Remit: To consider matters relating to the Interests of Members of the Scottish Parliament (Amendment) Bill.

Duration: Until the Bill is passed, falls or is withdrawn.

Number of members: 6.

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Scottish Labour Party.

Membership: Bill Kidd, James Dornan, Graeme Dey, Mary Fee, Mary Scanlon and Tavish Scott.

The Presiding Officer: That concludes decision time. Members who are leaving the chamber should do so quickly and quietly.

Private Parking Charges

The Deputy Presiding Officer (John Scott):

The final item of business today is a members' business debate on motion S4M-13816, in the name of Murdo Fraser, on the Citizens Advice Scotland report, "It's Not Fine". The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes the Citizens Advice Scotland (CAS) report on private parking charges, *It's Not Fine*, and legal advice from CAS on how motorists can appeal against privately issued parking tickets; understands that the legal advice states that unclear signage, as well as fines that are not based on a "genuine pre-estimate of loss", could be grounds for issuing a legal challenge to a ticket; understands that the British Parking Association recommends a maximum penalty charge of £100; further understands that many private parking firms charge in excess of the recommended £100 and often use aggressive tactics to extract fines from unaware motorists; considers that many motorists in Perth have been hit by excessive fines as a result of parking in Kinnoull Street multi-storey car park; believes that the CAS advice is the first time that a legal opinion on this matter has been published in Scotland, and welcomes this as a useful source of information for people affected by parking charges to consult before they pay a ticket.

17:07

Murdo Fraser (Mid Scotland and Fife) (Con):

I thank the members from all parties who signed the motion to allow it to be debated, and I thank those who have stayed behind to participate in or at least listen to the debate. I appreciate that members who intend to speak might want to talk about issues that they have experienced in their constituencies and regions; I encourage them to do so.

I think that a useful starting point would be for me to explain how I got involved in the issue. Since April my office has been inundated with letters, phone calls and emails from constituents who have been wrongly fined by a private car park in the centre of Perth. There has been an umbrella effect since then, with many constituents from other areas getting in touch after having seen some of the press coverage of the issue.

Although the rules for parking on public land are well defined with local authorities, the rules for parking on private land are far less clear.

In the early part of the year, the Kinnoull Street multistorey car park in Perth, which is operated by Smart Parking Limited, changed its operations to use number plate recognition software in addition to asking drivers to key in their registration plate details when paying for parking. As a result of poor signage and an overly complicated payment process, the new system has caused a great deal of confusion. I have even been contacted by a

former Smart Parking employee, who claimed that the company deliberately introduced the new system with the sole purpose of driving up revenue from fines.

In addition, there have been blatant errors, whereby motorists have been fined despite having correctly paid for parking. I can testify to that: I was the victim of an incorrectly issued parking notice. Fortunately, I had retained proof of payment, so I was able successfully to challenge the notice. However, I should not have had to go to that trouble in the first place, because the fee had been correctly paid for the period in which I was parked. Incorrectly issuing fines is simply not good enough when one considers the mechanisms and tactics that some of the companies use to elicit payment.

A number of constituents have contacted my office in great distress after receiving intimidating letters from debt collectors threatening increased fines, expensive court action or a poorer credit rating following non-payment. As a result of those bully-boy tactics, a number of old and vulnerable residents have paid up despite not being due to do so, having correctly paid for parking. That is not on.

Citizens Advice Scotland received nearly 4,000 calls to its helpline in 2013-14 in relation to private parking issues. That was up a remarkable 50 per cent on the previous year. A further 15,000 people have also used its website to access information on the laws governing parking tickets on private land.

Despite the large numbers of complaints involved, it appears that the vast majority of private parking companies operate well and within the regulations and the code of conduct produced by the British Parking Association, as three quarters of all queries to Citizens Advice Scotland relate to just 15 firms.

I thank Citizens Advice Scotland for its role in increasing awareness among motorists of their rights as a result of the it's not fine campaign. It is a must for motorists to know their rights and obligations when parking on private land, and I encourage drivers throughout the country to consult the help pages on the Citizens Advice Scotland website.

In July, Citizens Advice Scotland released an important addition to the campaign: a report with a detailed legal opinion on the rules for challenging a privately issued parking ticket in Scotland. That legal advice made it crystal clear that parking companies can only issue fines that are commensurate with the losses that they have incurred as a result of a driver overstaying their welcome.

For an example, if parking costs £1 an hour and a motorist is issued with a fine of £60, they would need to have been parked there for 60 hours to justify the charge. To put that into context, Smart Parking in Perth regularly issues penalty notices of £160, and I am aware of one case of an individual being charged as much as £200 when an unpaid charge was passed to debt collectors.

In no way am I suggesting that people should not pay for their parking. Having a car park is a legitimate business and provides a vital local service. Those who provide that service are entitled to be remunerated for it. However, the abuse of the privileges of ownership by some private car park owners is to be disputed.

Elaine Smith (Coatbridge and Chryston) (Lab): Does Murdo Fraser agree that it is not just for parking in car parks but for going just a little bit over time limits that people receive these so-called fines, which are actually charges?

Murdo Fraser: I am happy to agree with that point from Elaine Smith. That is exactly the situation in which many of my constituents have found themselves. Even if they are just a few minutes over their allocated time, they are hit with a £60 fine, which escalates up sometimes as high as £160 if they do not pay it. That is clearly disproportionate and people in that situation should consult the legal advice from Citizens Advice Scotland, which makes it clear that such penalties are disproportionate and, therefore, not legally enforceable.

There is another issue, which is that car park operators need to make the terms of parking as clear as possible. It is a matter of contract law. When a motorist enters a car park, the terms and conditions on which they are to be charged need to be made clear. Too many cases exist of incoherent signs and illegible small print, which mean that people are not clear about their rights.

There appears to be a serious disconnect between the practices of some private car parks and the code of conduct created by the British Parking Association, which is fair but is clearly not being followed in many cases. There needs to be fairness and transparency for car park operator and motorist.

For example, many private car parking firms call their fines parking charge notices—a term that is similar to penalty charge notices, which are issued by local authorities and have legal standing. Blurring the lines between public and private appears to be a tool that some private car park operators use all too frequently.

The authorities in Scotland have a strong record when it comes to legislating for private car parks, with Scotland being the first country in the UK to outlaw private clampers. There have been a

number of calls from CAS for the establishment of a fair and independent appeals process, similar to that in England and Wales. It has also called on the Scottish Government to consider establishing a mandatory register to operate car parks.

My request today is simpler than that. It is for the Scottish Government to clarify the law around parking in private car parks so that people are better aware of their rights. Increasing awareness for motorists will ensure that fewer people are duped into paying incorrectly issued tickets and will also help drivers recognise their obligations when parking privately. If that is done, we could cut down on confusion and frustration for car park operators and motorists.

I close by again commending CAS for its work in this area. Better-informed consumers and drivers will be well placed to fight their corner against unscrupulous car park operators.

17:15

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I, too, congratulate Murdo Fraser on securing the debate. I lodged a similar motion which also congratulated CAS on its report. I thank members who signed my motion as well as Murdo Fraser's. It will be a wee bit difficult not to replicate some of the points that Murdo Fraser made in his speech, but I will try.

This issue first came to my attention some years ago when there were substantial retail developments in Galashiels, with Asda, Walmart, Tesco, Marks and Spencer and Next all coming to town. Local people in Galashiels were quite unfamiliar with being charged for parking at what they quite rightly consider to be local shops, and quite a few were caught out in the early months. I dealt with many of those cases.

As Murdo Fraser said, people generally come to see their MSP when they are at the end of the road and are receiving threatening letters. Some of the people who came to see me were just about to pay up or did not have the money to pay up, and I did what I could for them. One of the first things that I raised in that regard was that this is not a criminal matter; it is a matter of contract. In each situation involving a contract, it must be clear to people that they are entering into a contract. That is why the notice that is displayed as the driver enters a car park should be what is known as an invitation to treat—Murdo Fraser will correct me if I am wrong on that, based on his legal experience. The sign should be an offer that sets out the price for the service. The CAS report contains an example of a notice that is clear—it is big and blue and has a P on it—and an example of

one that is cluttered and which people might not be able to read as they are driving in past it.

Elaine Smith: Does the member agree that the only way to make it clear that someone is entering a contract is if there is a barrier?

Christine Grahame: I do not know whether a barrier would be physically possible. Some of the supermarkets that I go to are extremely busy. However, I believe that the notices should be displayed clearly. One of the victories that we had concerned a shopping area where the notices were extremely small—indeed, there was only one little notice as people drove in and people were unaware of it. Consequently, we were successful in rebutting the fees that were being asked for. People ought to know that they are entering into a contract.

Another thing that makes a situation difficult is that the money that is being asked for is referred to as a charge. It is not; it is a fee. Part of the contract says that a person can stay for a set period of time for free and that, after that, there will be a fee that must be paid. Murdo Fraser is quite right in saying that that fee should be commensurate with what would be a reasonable charge for staying there.

Another issue is that some of the firms are entitled to access the Driver and Vehicle Licensing Agency register to obtain the name of the registered owner of the car. In that regard, I should say that one of the rebuttals that we used was that the person who received the bill for the fee was not the driver of the car. I am not suggesting that people should always say that they were not driving the car, but it is the driver of the car who entered into the contract, not the registered owner, who cannot have seen the notice in the first place.

Many people feel that they have committed an offence. It is not their fault; it is because of language that is used. I am being kind when I say that, because I think that some of the companies deliberately use that language.

In public areas where there is legislation that puts in place criminal offences around parking, the charges are quite clear. Usually, the charge is £60, or £30 if the driver stumps up quickly, as some of us have had to do. Once, I was five minutes over time because I was speaking to a taxman in George Street. I will never forgive him because he cost me £60 just for telling me something that—

Alex Johnstone (North East Scotland) (Con): I hope that the member set it against her tax.

Christine Grahame: I did not.

One of the other issues is that there is no right of appeal. If someone appeals, they are appealing to the very people who are putting the alleged

charge on them. I very much agree with Murdo Fraser. I hope that the minister will consider regulating the issue through legislation so that we all—the parking companies and the public—know where we are, so that it is clear that there are limits on the amount that can be charged for staying excessive time and so that there is a right of appeal to a third party. It should also be possible to use mitigation in some circumstances, for example when there are reasons why someone has been 10 or 15 minutes over.

Before all that happens, there is an obligation on supermarkets and major retailers to take some responsibility for what happens to their customers and not just leave it to other companies. Such companies are often situated in the south—they issue their letters from the south and from London and are not aware of Scots law. The supermarkets should take it upon themselves to say, “This isn’t fair to our customers. I’m going to intervene here on behalf of Mr and Mrs X.”

17:21

Elaine Smith (Coatbridge and Chryston) (Lab): I, too, congratulate Murdo Fraser on bringing the debate to the chamber. It is an issue that is important to many people in Scotland, including hundreds of my constituents, who have sought my help with these unfair charges. I had intended to lodge a motion to get a debate on the subject so I am pleased not only that Murdo Fraser has done so, but I am not on the chairing rota tonight and can participate in the debate. My colleague Cara Hilton also had a motion on the issue entitled something along the lines of “It’s Not Fine”.

I first became aware of this parking problem a number of years ago and since then I have lodged motions, written multiple letters and represented hundreds of constituents in relation to it. Last year, I campaigned on the issue in conjunction with the Coatbridge community forum, which handed out leaflets on the matter to my constituents. As far back as 2009, I lodged a motion about the charges entitled “Highway Robbery” because I believe that that is exactly what many of those companies are doing. Dick Turpin hasn’t got a look in.

I, too, congratulate Citizens Advice Scotland on its awareness-raising campaign, which is referred to in the motion, and on the helpful legal advice that it has issued. I have a close relationship with my local citizens advice bureau, which refers people to me, perhaps because my office is just round the corner. I am very happy to write to the private companies on behalf of my constituents.

I will give some examples of the problems. Many of the people who approach my office having received charges are elderly, or are

disabled and their blue badges have fallen off the dashboard or been placed upside down. As I alluded to in my first intervention, I have had a number of cases in which people have been issued charges by car parks with a time limit because they have left the car and gone back later in the day, after shopping elsewhere. Inevitably, those people have spent a great deal of money in local shops, so there is definitely no loss to traders involved. Some shoppers from outside my constituency have contacted me to say that they will never shop in my local retail parks again. In that respect, parking restrictions and charges can lead to a loss of town centre trade, thus affecting the economy in places such as Coatbridge.

A woman approached me for help because she had been out shopping and had spent quite a bit of time in the supermarket in whose car park she was parked. On her return to her car, she had to breastfeed her baby, which took her over the time limit and meant that she was sent one of these charges.

All these people—old, young, mothers and disabled—are then harassed by the parking companies and debt collecting agencies and, as Murdo Fraser said, often feel bullied into paying the charge.

I have written to a number of different companies on behalf of hundreds of constituents and the responses vary. Some cancel the charge, some say that they will reduce the charge and some ignore my letters. I have even had a response in which a company has cancelled the charge but has asked my disabled constituent, whose badge was on the dashboard but was upside down, to pay a £15 donation to disabled charities. That is unacceptable, not least because companies can use such charitable donations to claim tax relief.

I have found that elderly people in particular do not feel comfortable ignoring the letters that arrive from parking companies. They are comforted when I write on their behalf and they are very relieved if the charges are then cancelled.

I represent a constituency with high levels of poverty and deprivation, and I feel really angry that my constituents are receiving those charges in the first place. They are then worrying about them, and in many cases they just pay out the money, which they can ill afford. Referring to the intervention that I made earlier, given that the issue falls under contract law, I think that it would be very difficult for the companies to prove a case in court, no matter the signage. How can it be proved that people have read the signs, no matter what size they are?

That brings me to an issue that is reserved to Westminster but relevant to this debate and which

Christine Grahame touched on. It involves the release of drivers' details from the Driver and Vehicle Licensing Agency to some of those private companies. Not only are such releases concerning with regard to data protection, but reports last year show that they are also costing the taxpayer money. Apparently a subsidy arises due to the private firms paying £2.50 for documentation, but it costs the DVLA £2.85 to process. Last year the agency received 1.8 million applications from private companies, which cost the public purse around £612,000. Therefore it is costing us public money to help the private parking companies harass and extort money from our constituents. That cannot be right.

Before I conclude, I think that it is important to be clear that I do not condone irresponsible parking that causes a danger to other road users or pedestrians, nor do I condone selfish parking—parking across two bays, thus stopping others getting a space—and I certainly do not condone ignorant people parking in disabled bays when they are not disabled or parking in parent and child bays without children. However, there are ways in which shopping centres or supermarkets can deal with those situations without employing companies that harass their customers, as Christine Grahame mentioned.

I will continue to fight for the many constituents in Coatbridge and Chryston who are affected by private parking companies, but it really is about time that the practice was stopped. I congratulate Murdo Fraser for raising this important issue and Citizens Advice Scotland for its work. I hope that those highway robbers can be stopped in their tracks, because it really is not fine.

17:27

The Minister for Transport and Islands (Derek Mackay): When Elaine Smith was speaking, I wondered whether, like Murdo Fraser and Christine Grahame, she was going to confess that her motivation was altruistic—in the interest of her constituents—which would have been very fair and accurate.

Elaine Smith: One of the first cases that I dealt with involved my mother and my stepfather. They had only one car. One of them had parked early in the day and the other one had gone down to the same car park later. They received one of those so-called fines and were very upset about it.

Derek Mackay: Presiding Officer, there we have it: three out of three members so far have been affected by the issue. I can make it four out of four, because I too have been subjected—as a passenger, of course—to someone incurring an excessive and unfair fine. That is a 100 per cent

record of members being motivated on the issue not—of course—through self-interest, at all.

The Citizens Advice Scotland report is accurate in revealing an issue. It is not about irresponsible parking—we will return to that matter in the very near future, and I have a position on that to share imminently. It is about irresponsible charging for parking, which is undoubtedly an issue.

Elaine Smith said that the practice should stop and it should stop now. I agree. If I had a magic button to press that would make it so, I would press it, but it is more complicated than making a simple change in the law.

I am working with the operators on a partnership basis to impress upon them the concerns that have been raised, I have assisted with the Citizens Advice Scotland report and I have heard in the chamber and outwith it the experiences of members, who have given me many case examples of how the unfair application of a charging regime has impacted their constituents.

There are legal issues, some of which are devolved and some of which are reserved. Regarding Murdo Fraser's plea to clarify the law and to raise awareness, of course I can commit to that, but that in itself will not be enough to solve the problem. It will need a stronger approach—although I have, through officials, had the message shared with the operators that I expect action to be taken on transparency, signage, stopping excessive charging and other matters.

Christine Grahame requested legislative action and stronger regulations, which are being explored. If the approach continues to be unsatisfactory, I may well have to regulate or to propose regulation—it may be that there is time to consider that in a future parliamentary session. I fear that the actions of a minority, which members have described, mean that regulation may be required. It is disappointing to hear that some private businesses—that is what they are, in essence—are acting outwith the spirit of what is provided for.

Christine Grahame: I am gratified to hear that the minister is considering perhaps regulating. I will put it no stronger than that, as he has not. In the meantime, is the question of a right of appeal, either to not have to pay or to have mitigation, being dealt with? If such a right was available, people would not have to go to their MSP or Citizens Advice Scotland.

Derek Mackay: Appeals procedures may be in place at the moment. However, as Christine Grahame described, they are voluntary and are sometimes not particularly effective because the question is this: who regulates those who make the decisions?

There is a different position south of the border, where there is an independent appeals service. The introduction of such a service for Scotland is being explored, although a change in position would be required here to ensure that it was enforceable. We have a voluntary partnership approach that I think is not working, which is why I have to consider regulation and legislation to be appropriate. It would be better if operators were just to act more responsibly, fairly and consistently across the country.

Murdo Fraser: The minister will be aware of the British Parking Association's code of conduct. Does he agree that if all companies followed that to the letter and to its spirit, we would not need further regulations?

Derek Mackay: I agree. We could also make further progress on capping fines and charges. If we were to remove the bad practice of pretending that there are statutory penalties, that would address another issue. If we had better signage, that would address the contract issue. A range of things could be done voluntarily. My difficulty, as minister, is that if companies do not volunteer to do those things, we are left only with legislation and regulation. A fair approach to companies has not translated into companies taking a fair approach to their customers and to people with whom they have entered into contracts.

Elaine Smith: Will the minister give way?

Derek Mackay: I will take one more intervention, then I will finally be able to make progress on my speech.

Elaine Smith: I know that it is not the minister's responsibility, but does he have an opinion on the Driver and Vehicle Licensing Agency handing out information about number plates, which allows companies to harass people and to send debt collectors to them?

Derek Mackay: There are a number of issues there. If a range of things were in place, such as companies keeping to conditions and operating responsibly as per the code of conduct, and there was an independent appeals service, issuing such information would be a responsible thing to do. I do not agree with arbitrarily issuing such information, which allows people to be hounded unfairly and given the impression that they have broken the law. If companies kept to the code of conduct and companies acted ethically and responsibly I would have more comfort. That is why I am taking a look at this very complex issue.

Every member so far has given an accurate appraisal of how their constituents have been affected, which is why we must look closely at what Parliament will be able to do. As minister, I want to send a strong message. We need clear signage and a fair and consistent approach that

treats people reasonably. We need companies not to pretend that people have breached the law and for them therefore to face all sorts of penalties should they not comply. Fines should be capped at a reasonable level and the CAS guidance should be acknowledged. We will move forward to ensure that people are treated more fairly, which is the essence of the CAS campaign.

As a Scottish Government minister I cannot say, "Don't pay the fine." It would be irresponsible of me to give that message. However, if people check their legal rights and responsibilities, many will realise that they have not breached what they think they may have breached. My advice is that people should check their rights, check the law, seek representation and do the right thing.

The Scottish Government will take on board all today's comments and convey them to all the operators. We will strive for a fairer, more transparent and more reasonable approach, so that no one is unfairly charged to the point at which they are being caused anxiety and financial loss.

Meeting closed at 17:34.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body

All documents are available on
the Scottish Parliament website at:

www.scottish.parliament.uk

Information on non-endorsed print suppliers
Is available here:

www.scottish.parliament.uk/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@scottish.parliament.uk
